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Marquess of Ailsa.

THOMAS WILDE.

WITHDRAWN
FROM STOCK

THE

PARLIAMENTARY OR CONSTITUTIONAL Hiſtory of England;

BEING A

FAITHFUL ACCOUNT

Of all the

Moſt remarkable TRANSACTIONS

In PARLIAMENT,

From the earlieſt TIMES,

TO THE

Reſtoration of King CHARLES II.

COLLECTED

From the RECORDS, the JOURNALS of both HOUSES, original MANUSCRIPTS, ſcarce SPEECHES, and TRACTS; all compared with the ſeveral Contemporary Writers, and connected, throughout, with the Hiſtory of the Times.

By SEVERAL HANDS.

——*Juvat integros accedere Fontes.*

VOL. XI.

From *May* 20, 1642, to the Battle of *Edge-Hill* in *October* following.

The SECOND EDITION.

LONDON,

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An. 18. Car. I. 1642. May.

other End unto themſelves, but the Care of his Kingdoms, and the Performance of all Duty and Loyalty to his Perſon. [a]

Reſolved, &c. 'That whenſoever the King maketh War upon the Parliament, it is a Breach of the Truſt repoſed in him by his People, contrary to his Oath, and tending to the Diſſolution of this Government.

Reſolved, &c. 'That whoſoever ſhall ſerve or aſſiſt him in ſuch Wars, are Traitors by the Fundamental Laws of this Kingdom; and have been ſo adjudged by two Acts of Parliament [b]; and ought to ſuffer as Traitors.'

The Petition ſent to the King, with the above Reſolutions, was as follows:

To the KING's *Moſt Excellent Majeſty,*

The HUMBLE PETITION *of the* LORDS *and* COMMONS *aſſembled in Parliament.*

Their Petition ſent to his Majeſty with thoſe Reſolutions.

'YOUR Majeſty's loyal Subjects, the Lords and Commons in this Parliament, do humbly repreſent unto your Majeſty, That notwithſtanding your frequent Profeſſions to your Parliament and the Kingdom, and the late Expreſſion in your Anſwer of the 13th of *May*, to the Petition of the County of *York*, *That your Deſire and Intention is only the Preſerving of the true Proteſtant Profeſſion, the Laws of the Land, the Liberty of your People, and the Peace of the Kingdom*; nevertheleſs, with great Grief, we perceive, by your Speech of the 12th of *May*, and the Paper printed in your Majeſty's Name, in the Form of a Proclamation, bearing Date the 14th of *May*, and other Evidences, that, under Colour of raiſing a Guard to ſecure your Perſon, (of which Guard, conſidering the Fidelity and Care of your Parliament, there can be no Uſe) your Majeſty doth com-

[a] The Words, *ſeduced by wicked Counſel*, were added by the Commons, upon Mr *Pymme*'s Report of the Conference held with the Lords. *Commons Journals.*

[b] 11. *Richard* II. and 1. *Henry* IV.

'command Troops, both of Horſe and Foot, to 'aſſemble at *York*; the very Beginnings whereof 'were apprehended by the Inhabitants of that 'County to be an Affrightment and Diſturbance of 'your Majeſty's liege People, as appears by their 'Petition preſented to your Majeſty; the Continuing and Increaſe of which Forces is, and muſt needs 'be, a juſt Cauſe of great Jealouſy and Danger to 'your Parliament, and to your whole Kingdom. An. 18. Car. I. 1642. May.

'Therefore we do humbly beſeech your Majeſty 'to diſband all ſuch Forces, as, by your Command, 'are aſſembled; and relying for your Security, as 'your Predeceſſors have done, upon the Law, and 'the Affections of your People, you will be pleaſed 'to deſiſt from any further Deſigns of this Nature, 'contenting yourſelf with your uſual and ordinary 'Guards; otherwiſe we ſhall hold ourſelves bound 'in Duty towards God, the Truſt repoſed in us 'by the People, and the Fundamental Laws and 'Conſtitutions of this Kingdom, to employ our 'Care and utmoſt Power to ſecure the Parliament, 'and to preſerve the Peace and Quiet of the King-'dom.'

In the Debate on the ſecond of the above Votes, the Lord *Herbert* of *Cherbury*, ſpeaking theſe Words, *I ſhould agree to it, if I could be ſatisfied that the King would make War upon the Parliament without Cauſe*, he was commanded to withdraw; but, becauſe it was then late, his Lordſhip was committed to the Gentleman-Uſher, for the preſent, untill the Houſe took this Buſineſs into further Conſideration. The Lord *Herbert* cenſured for objecting againſt them.

The next Day the Lord *Herbert* preſented a Petition to the Lords, declaring his Sorrow for letting fall certain Words in the Midſt of a Period, which had given Offence; and therefore deſired their Lordſhips benign Interpretation of them. This Petition ſatisfied the Houſe, and he was releaſed upon it.

His Lordſhip then moved the Houſe, That he might have Leave to go into the Country for his

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Health; and, if he could not find it there, to go beyond Sea for it, to *France*, to the *Spa*, or elsewhere; which was granted; but he went directly to the King at *York*, as will appear in the Sequel.

The Lords being inform'd, That a Book, intitled, *An Answer, by way of Declaration, to a Printed Paper*, intitled, *A Declaration of both Houses of Parliament, in Answer to his Majesty's last Message concerning the Militia*, was put out in the King's Name, which the House conceived to have many Expressions in it, laying Imputations on the Parliament: It was ordered, That the Printer [c] should be sent for, and to bring his Warrant or Authority with him for printing that Book. The said Answer was as follows: [d]

The King's Answer to the Parliament's last Declaration relating to the Militia.

'WE very well understand how much it is below the High and Royal Dignity wherein God hath placed us, to take Notice of, much more to trouble ourself with answering, those many scandalous and seditious Pamphlets and printed Papers, which are scattered with such great Licence throughout the Kingdom, notwithstanding our earnest Desire, so often in vain pressed for a Reformation; though we find it evident, That the Minds of many of our weak Subjects have been, and still are, poisoned by those Means; and that so general a Terror hath possessed the Minds and Hearts of all Men, that while the Presses swarm, and every Day produceth new Tracts against the established Government of the Church and State, most Men want the Courage or Conscience to write, or the Opportunity and

[c] *Robert Barker*, the King's Printer, who attended accordingly, and produced the Secretary of State's Warrant as his Voucher, which we suppose gave sufficient Satisfaction to the Lords; for we find no more of this Matter.

[d] The Reason of the King's calling this *An Answer, by way of Declaration, to a Printed Paper*, intitled, *A Declaration*, and not *An Answer to the Parliament's Declaration*, was, because it was printed by Order of both Houses, without any previous Presentment or Communication thereof to his Majesty, as before observed in our Tenth Volume, p. 487.

'and Encouragement to publiſh, ſuch compoſed ſober Animadverſions, as might either preſerve the Minds of our good Subjects from ſuch Infection, or reſtore and recover them when they are ſo infected: But we are contented to let ourſelf fall to any Office that may undeceive our People, and to take more Pains this Way by our own Pen, than ever King hath done, when we find any Thing that ſeems to carry the Reputation and Authority of either, or both Houſes of Parliament; and will not have the ſame refuted or diſputed by common and vulgar Pens, till we are thoroughly informed whether thoſe Acts have, in Truth, that Countenance and Warrant they pretend. Which Regard of ours we doubt not but, in Time, will recover that due Reverence (the Abſence whereof we have too much Reaſon to complain of) to our Perſon and our Meſſages, which in all Ages hath been paid (and no doubt is due) to the Crown of *England*.' An. 18. Car. I. 1642. May.

'We have therefore taken Notice of a printed Paper, intitled, *A Declaration of both Houſes of Parliament, in Anſwer to our laſt Meſſage concerning the Militia, publiſhed by Command*: The which we are unwilling to believe (both for the Matter of it, the Expreſſions in it, and the Manner of publiſhing it) can reſult from the Conſent of both Houſes: Neither do we know by what lawful Command ſuch uncomely and irreverent Mention of us can be publiſhed to the World. And tho' Declarations of this Kind have of late, with too much Boldneſs, broken in upon us and the whole Kingdom, when one, or both Houſes have thought fit to communicate their Counſels and Reſolutions to the People; yet we are unwilling to believe, that ſuch a Declaration as this ſhould be publiſhed in Anſwer to our Meſſage, without vouchſafing at leaſt to ſend it to us as their Anſwer: Their Buſineſs, for which they are met by our Writ and Authority, being to counſel us for the Good of our People, not to write againſt

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'us to our People; no Conſent of ours, for their 'long continuing together, enabling them to do 'any Thing, but what they were firſt ſummoned 'by our Writ to do. At leaſt we will believe, 'though Miſunderſtanding and Jealouſy (the Ju- 'ſtice of God will overtake the Fomenters of that 'Jealouſy, and the Promoters and Contrivers of 'that Miſunderſtanding) might produce (to ſay no 'worſe) thoſe very untoward Expreſſions; yet if 'thoſe Houſes had contrived that Declaration as an 'Anſwer to our Meſſage, they would have vouch- 'ſafed ſome Anſwer to the Queſtion propoſed in 'ours, which we profeſſed did and muſt evidently 'prevail over our Underſtanding; and, in their 'Wiſdom and Gravity, they would have been ſure 'to have ſtated the Matters of Fact, as (at leaſt to 'ordinary Underſtandings) might be unqueſtion- 'able: Neither of which is done by that Declara- 'tion.

'We deſired to know why we were, by that Act, 'abſolutely excluded from any Power or Authority 'in the Execution of the Militia; and we muſt 'appeal to all the World, Whether ſuch an At- 'tempt be not a greater and juſter Ground for 'Fear and Jealouſy in us, than any one that is a- 'vowed for thoſe deſtructive Fears and Jealouſies, 'which are ſo publickly owned, almoſt to the Ruin 'of the Kingdom. But we have been told, *That 'we muſt not be jealous of our Great Council of both 'Houſes of Parliament.* We are not, no more than 'they are of us, their King; and hitherto they have 'not avowed any Jealouſy of, or Diſaffection to, 'our Perſon; but imputed all to our evil Counſel- 'lors, to a malignant Party that are not of their 'Minds: So we do (and we do it from our Soul) 'profeſs no Jealouſy of our Parliament; but of 'ſome turbulent, ſeditious, and ambitious Natures; 'which, being not ſo clearly diſcerned, may have 'an Influence even upon the Actions of both 'Houſes: And if this Declaration hath paſſed by 'ſuch Conſent, (which we are not willing to be- 'lieve)

'lieve) it is not impoſſible but that the Apprehen- An. 18 Car. I.
'ſion of ſuch Tumults, which have driven us from 1642.
'our City of *London*, for the Safety of our Perſon, May.
'may make ſuch an Impreſſion in other Men, not
'able to remove from the Danger, to make them
'conſent, or not to own a Diſſent, in Matters not
'agreeable to their Conſcience or Underſtanding.

'We mentioned, in that our Anſwer, our Diſ-
'like of the putting of their Names out of the Bill
'whom before they recommended to us in their
'pretended Ordinance, and the leaving out, by
'ſpecial Proviſion, the preſent Lord Mayor of *Lon-*
'*don*, to all which the Declaration affords no An-
'ſwer; and therefore we cannot ſuppoſe it was in-
'tended for an Anſwer to that our Meſſage; which
'whoſoever looks upon, will find to be in no De-
'gree anſwered by that Declaration.

'But it informs all our Subjects, after the Men-
'tion with what Humility the Ordinance was pre-
'pared and preſented to us, (a Matter very evident
'in the Petitions and Meſſages concerning it) and
'our Refuſal to give our Conſent, notwithſtanding
'the ſeveral Reaſons offered of the Neceſſity there-
'of, for the Securing of our Perſon, and the Peace
'and Safety of our People, (whether any ſuch Rea-
'ſons were given, the Weight of them, and whe-
'ther they were not clearly and candidly anſwered
'by us, the World will eaſily judge) *That they were*
'*at laſt neceſſitated to make an Ordinance by Authority*
'*of both Houſes, to ſettle the Militia, warranted*
'*thereunto by the Fundamental Laws of the Land:*
'But if that Declaration had indeed intended to
'have anſwered us, it would have told our good
'Subjects what thoſe Fundamental Laws of the
'Land are, and where to be found; and would at
'leaſt have mention'd one Ordinance, from the firſt
'Beginning of Parliaments to this preſent Parlia-
'ment, which endeavoured to impoſe any Thing
'upon the Subject without the King's Conſent; for
'of ſuch all the Inquiry we can make, could never
'produce us one Inſtance. And if there be ſuch a

'Secret

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'Secret of the Law, which hath lain hid from the 'Beginning of the World to this Time, and now 'is discovered to take away the just and legal Power 'of the King, we wish there be not some other 'Secret (to be discovered when they please) for the 'Ruin and Destruction of the Liberty of the Sub-'ject; for, no doubt, if the Votes of both Houses 'have any such Authority to make a new Law, it 'hath the same Authority to repeal the old; and 'then what will become of the long-established 'Rights and Liberties of the King and Subject, 'and particularly of *Magna Charta*, will be easily 'discerned by the most ordinary Understandings.

'It is true we did (out of our Tenderness to the 'Constitution of the Kingdom, and Care of the 'Law, which we are bound to defend, and being 'most assured of the Unjustifiableness of the pre-'tended Ordinance) invite and desire both our 'Houses of Parliament to settle whatsoever should 'be fit of that Nature, by Act of Parliament; but 'were we therefore obliged to pass whatsoever 'should be brought to us of that Kind? We did 'say in our Answer to the Petition of both Houses, 'presented to us at *York* the 26th of *March* last, '(and we have said the same in other Messages be-'fore) *That we always thought it necessary the Bu-'siness of the Militia should be settled, and that we 'never denied the Thing, only denied the Way*; and 'we say the same still, since the many Disputes 'and Votes upon Lord-Lieutenants, and their 'Commissions (which were begun by us, or our 'Father) had so discountenanced that Authority, 'which for many Years together was happily look-'ed upon with Reverence and Obedience by the 'People; we did, and do, think it very necessary 'that some wholesome Law be provided for that 'Business; but we declared, in our Answer to the 'pretended Ordinance, *We expected that that ne-'cessary Power should be first invested in us, be-'fore we consent to transfer it to other Men:* 'Neither could it ever be imagined, that we would

'con-

'consent that a greater Power should be in the Hands of a Subject, than we were thought worthy to be trusted with ourself; and if it shall not be thought fit to make a new Act, or Declaration, in this Point, we doubt not but we shall be able to grant such Commissions, which shall, very legally, enable those we trust, to do all Offices for the Peace and Quiet of the Kingdom, if any Disturbance shall happen. An. 18. Car. I. 1642. May.

'But that Declaration saith, *We were pleased to offer them a Bill ready drawn, and that they (to express their earnest Zeal to correspond with our Desire) did pass that Bill; yet all that Expression of Affection and Loyalty, all that earnest Desire of theirs to comply with us, produced no better Effect than an absolute Denial even of what, by our former Messages*, (as that Declaration conceives) *we had promised*; and so proceeds (under the Pretence of mentioning evil and wicked Counsels) to censure and reproach us in a Dialect, that we are confident our good Subjects will read with much Indignation on our Behalf. But sure, if that Declaration had passed the Examination of both Houses of Parliament, they would never have affirmed, That the Bill we refused to pass was the same we sent to them; or have thought that our Message, wherein the Difference and Contrariety between the two Bills is so particularly set down, would be answered with the bare averring them to be one and the same Bill: No more would they have declared (when our Exceptions to the Ordinance and the Bill are so notoriously known to all our People) *That, Care being taken to give Satisfaction in all the Particulars we had excepted against in the Ordinance, we had found no Exceptions to the Bill*; and yet this very Declaration confesseth, that our Exception to the Ordinance was, That in the Disposing and Execution thereof we were excluded. And was not this an express Reason, in our Answer, for our Refusal of the Bill, which this Declaration will needs confute? But

'the

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'*the Power was no other than to ſuppreſs Rebellion, Inſurrection, and foreign Invaſion; and the Perſons truſted no other than ſuch as were nominated by the Great Council of the Kingdom, and aſſented to by us:* And that Declaration aſks, *If that be too great a Power to truſt theſe Perſons with?* Indeed whilſt ſo great Liberty is uſed in Voting and Declaring Men to be Enemies to the Commonwealth, (an *Engliſh* Phraſe we ſcarcely underſtand) and in Cenſuring Men for their Service and Attendance upon our Perſon, and on our lawful Commands, great Heed muſt be taken into what Hands we commit ſuch a Power to ſuppreſs Inſurrection and Rebellion. And if Inſurrection and Rebellion have found other Definitions than what the Law hath given them, we muſt be ſure that no lawful Power ſhall juſtify thoſe Definitions: And if there be Learning found out to make Sir *John Hotham*'s taking Arms againſt us, and keeping our Town and Fort from us, no Treaſon or Rebellion, we know not whether a new Diſcovery may not find it Rebellion in us to defend ourſelf from ſuch Arms, and to endeavour to recover what is ſo taken from us: And therefore it concerns us (till the known Law of the Land be allowed to be Judge between us) to take Heed into what Hands we commit ſuch Power. Beſides, can it be thought that, becauſe we are willing to truſt certain Perſons, we are obliged to truſt them in whatſoever they are willing to be truſted? We ſay, no private Hands are fit for ſuch a Truſt, neither have we departed from any Thing, in the leaſt Degree, we offered or promiſed before; tho' we might, with as much Reaſon, have withdrawn our Truſt from ſome Perſons we before had accepted, as they did from others whom they recommended.

'For the Power which we are charged to have committed to particular Perſons, for the Space of fifteen Years, by our Commiſſions of Lieutenancy; it is notoriouſly known, that it was not a Power

'created

'created by us, but continued very many Years, and in the moſt happy Times this Kingdom hath enjoyed, even thoſe of our renowned Predeceſſors Queen *Elizabeth*, and our Father of happy Memory: And whatever Authority was granted by thoſe Commiſſions, which were kept in the old Forms, the ſame was determinable at our Pleaſure; and we know not that they produced any of thoſe Calamities which might give our good Subjects Cauſe to be ſo weary of them as to run the Hazard of ſo much Miſchief as that Bill, which we refuſed, might poſſibly have produced. An. 18. Car. I. 1642. May.

'For the Precedents of former Ages in the Commiſſions of Array; we doubt not but that when any ſuch have iſſued out, the King's Conſent was always obtained, and the Commiſſions determinable at his Pleaſure; and then what the Extent of Power was, will be nothing applicable to this Caſe of the Ordinance.

'But whether that Declaration hath refuted our Reaſons for our Refuſal to paſs the Bill or no, it hath reſolved and required all Perſons in Authority thereby to put the Ordinance in preſent Execution; and all others to obey it according to the Fundamental Laws of the Land: But we, whom God hath truſted to maintain and defend thoſe Fundamental Laws (which we hope he will bleſs to ſecure us) do declare, That there is no Legal Power in either or both Houſes, upon any Pretence whatſoever, without our Conſent, to command any Part of the Militia of this Kingdom; nor hath the like ever been commanded by either or both Houſes ſince the firſt Foundation of the Laws of this Land; and that the Execution of, or the Obedience to, that pretended Ordinance, is againſt the Fundamental Laws of the Land, againſt the Liberty of the Subject, the Right of Parliaments, and a high Crime in any that ſhall henceforth execute the ſame.

'We do therefore charge and command all our loving Subjects, of what Degree or Quality ſoever, upon their Allegiance, and as they tender the Peace

'of

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'of this Kingdom, from henceforth, not to muſter, 'levy or array, ſummon or warn, any of our 'Trained-Bands, to riſe, muſter, or march by 'Virtue or under Colour of that pretended Ordi- 'nance: And to this Declaration and Command 'of ours we expect and require a full Submiſſion 'and Obedience from all our loving Subjects upon 'their Allegiance; as they will anſwer the contra- 'ry at their Perils, and as they tender the Uphold- 'ing of the true Proteſtant Profeſſion, the Safety 'of our Perſon and our Royal Poſterity, and the 'Peace and Being of this Kingdom.'

May 21. The following Meſſage of Thanks, from both Houſes, was ordered to be ſent to the Privy-Council in *Scotland*, for their adviſing the King to return to his Parliament, &c. Mr. *Whitlocke* tells us,[f] 'That the King had wrote to the *Scots* Privy-Council, to acquaint them with the State of his Affairs in *England*; and that to this he received a dutiful and affectionate Anſwer, with a Petition from divers of the Nobility and People there, full of Zeal and Loyalty to his Service; but that the Parliament hearing of this, took Courſe to turn the Balance within eight Days after.'—The Truth of our Memorialiſt's Aſſertion is fully confirmed by the Opinion of the *Scots* Privy-Council, addreſſed to the Parliament as before mentioned,[g] and by the following Inſtrument from both the Houſes.

A Meſſage of Thanks from the Parliament to the *Scots* Privy-Council.

'THE Declaration of the Lords of the Privy-Council of the Kingdom of *Scotland*, made 'the twenty-ſecond of *April*, 1642, having been 'peruſed and ſeriouſly conſidered by the Lords and 'Commons of the Parliament in *England*, they 'have, by the Conſent of both Houſes, ordered, 'That, in their Name, the Commiſſioners for the 'Kingdom of *Scotland* be intreated to return Thanks 'to that Honourable Table of the Privy-Council of '*Scotland*, for their great Affection expreſſed to his Majeſty and this Kingdom; and for their wiſe and 'found

[f] Memorials, p. 56. [g] In our Tenth Volume, p. 500.

'found Counsel given to the King to return to his 'Parliament, being his best and most impartial 'Council, and to lay aside his Purpose of going in- 'to *Ireland*, in both which they have fully con- 'curred with the humble Petitions and Desires pre- 'sented to his Majesty from both Houses. An. 18. Car. I. 1642. May.

'And as they have never given his Majesty any 'just Cause of Jealousy or Fears; but, in all their 'Proceedings, have aimed at his Honour, Happi- 'ness, and Safety, without any other Design, but 'only to preserve and secure the true Protestant Re- 'ligion, and the antient Liberties of this King- 'dom, so will they carefully endeavour, by all fit 'Means, to work in his Majesty a right Under- 'standing of their loyal Intentions and most affec- 'tionate Desires for the common Good of his Ma- 'jesty and his Kingdoms; which can have no last- 'ing nor sure Foundations but in the mutual Con- 'fidence betwixt him and his Parliament: For the 'better obtaining whereof they intreat them to 'continue and renew such their good Advice to his 'Majesty, and to suppress the Attempts of those 'who, upon causeless Pretences and Suggestions, 'shall persuade them to interpose in those unhappy 'Differences, in such a Manner as may weaken the 'Confidence, or endanger the Peace of the two 'Kingdoms: And that their Lordships will please 'to remember with what Caution and Tenderness 'the State of *Scotland* have heretofore endeavoured 'that that Kingdom might receive no Prejudice by 'any Proceedings of his Majesty's Privy-Council 'of *England*; the Example of whose Wisdom 'herein this Parliament is willing to follow, and 'will always be very careful of the Preservation of 'the mutual Affection betwixt the two Kingdoms; 'according to the Treaties ratified in both Parlia- 'ments, the brotherly Affection which they bear 'to that Nation, and the Interest they have in 'the Prosperity thereof, so much conducing to 'the Establishment and Security of the true Reli- 'gion and just Liberties of this Kingdom.

'For

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'For the better improving and applying this mutual Union and Correſpondence to the Settling of the preſent Troubles, it is deſired by both Houſes of this Parliament of *England*, That their Lordſhips will ſend a Catalogue of theſe ſeveral Meſſages, Declarations, Anſwers, and Inſtructions, which they have received from his Majeſty, that concern this Kingdom; that ſo they may the better remove any Doubt or Miſtake of their Actions, which may be drawn from any ſuch Writings; and they likewiſe intend to ſend to the Council of *Scotland*, ſuch Declarations, Petitions, and Remonſtrances as they ſhall have Occaſion to make to his Majeſty and this Kingdom; whereby their Lordſhips may be the more fully informed of the true Grounds of their Proceedings, and the Amity and mutual Intelligence betwixt the two Kingdoms may be held in continual Practice and Exerciſe for the Good of both.'

About this Time a long Declaration, or Remonſtrance, of Parliament was publiſhed, in purſuance of an Order of both Houſes, of the 19th Inſt. for that Purpoſe. As this Piece contains a Recapitulation of all the Errors and Miſcarriages in Government from the Diſſolution of the laſt Parliament, and alſo a Vindication of the Proceedings of this Parliament in conſequence thereof, it is too important to be omitted, meerly on account of its Prolixity; and eſpecially as the Proceedings ſubſequent thereto would be rendered utterly unintelligible by the Omiſſion of this and the like long Declarations. An Abridgment thereof would be to no Purpoſe, ſince ſeveral of the ſucceeding Conteſts, between the King and Parliament, took their Riſe from particular Phraſes and Expreſſions in theſe before us.

A Declaration of both Houſes, recapitulating the Meſſages, &c. between them and the King.

'THE infinite Mercy and Providence of Almighty God hath been abundantly manifeſted, ſince the Beginning of this Parliament, in great Variety of Protections and Bleſſings; whereby he hath not only deliver'd us from many wick-

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'ed Plots and Designs, which, if they had taken 'Effect, would have brought Ruin and Destruction 'upon this Kingdom; but, out of those Attempts, 'hath produced divers evident and remarkable Ad- 'vantages to the Furtherance of those Services, 'which we have been desirous to perform to our 'Sovereign Lord the King, and to this Church and 'State, in providing for the Public Peace and Pro- 'sperity of his Majesty and all his Realms; which, 'in the Presence of the same All-seeing Deity, we 'protest to have been, and still to be, the only End 'of all our Counsels and Endeavours; wherein we 'have resolved to continue freed and enlarged from 'all private Aims, personal Respects or Passions 'whatsoever.

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'In which Resolution we are nothing discoura- 'ged, although the Heads of the malignant Party, 'disappointed of their Prey, the Religion and Li- 'berty of this Kingdom, which they were ready to 'seize upon and devour before the Beginning of 'this Parliament, have still persisted, by new Prac- 'tices, both of Force and Subtilty, to recover the 'same again; for which Purpose they have made 'several Attempts for the bringing up of the Army: 'They afterwards projected the false Accusation 'of the Lord *Kimbolton* and the five Members of 'the House of Commons; which being in itself of 'an odious Nature, they yet so far prevailed with 'his Majesty as to procure him to take it upon 'himself; but when the unchangeable Duty and 'Faithfulness of the Parliament could not be 'wrought upon, by such a Fact as that, to withdraw 'any Part of their Reverence and Obedience from 'his Majesty; they have, with much Art and In- 'dustry, advised his Majesty to suffer divers unjust 'Scandals and Imputations upon the Parliament to 'be published in his Name; whereby they might 'make it odious to the People, and, by their Help, 'to destroy that, which, hitherto, hath been the 'only Means of their own Preservation.

'For this Purpose they have drawn his Majesty 'into the *Northern* Parts, far from the Parliament,

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'that ſo falſe Rumours might have Time to get 'Credit, and the juſt Defences of the Parliament 'find a more tedious, difficult, and diſadvantageous 'Acceſs, after thoſe falſe Imputations and Slanders 'had been firſt rooted in the Apprehenſion of his 'Majeſty and his Subjects; which, the more ſpee-'dily to effect, they have cauſed a Press to be tranſ-'ported to *York*, from whence ſeveral Papers and 'Writings of that Kind are conveyed to all Parts 'of the Kingdom, without the Authority of the 'Great Seal, in an unuſual and illegal Manner, and 'without the Advice of his Majeſty's Privy-Coun-'cil; from the greater and better Part whereof ha-'ving withdrawn himſelf, as well as from his great 'Council of Parliament, he is thereby expoſed to 'the wicked and unfaithful Counſels of ſuch as have 'made the Wiſdom and the Juſtice of Parliament 'dangerous to themſelves; and this Danger they 'labour to prevent by hiding their own Guilt, un-'der the Name and Shadow of the King; infuſing 'into him their own Fears, and, as much as in them 'lies, aſperſing his Royal Perſon and Honour with 'their own Infamy; from both which it hath al-'ways been as much the Care, as it is the Duty, of 'the Parliament to preſerve his Majeſty, and to fix 'the Guilt of all evil Actions and Counſels upon 'thoſe who have been the Authors of them.

'Amongſt divers Writings of this Kind, we, the 'Lords and Commons in Parliament, have taken 'into our Conſideration two printed Papers; the 'firſt containing a Declaration which we received 'from his Majeſty, in Anſwer to that which was 'preſented to his Majeſty, from both Houſes of 'Parliament, at *Newmarket*, the 9th of *March*, '1641, the other, his Majeſty's Anſwer to the Peti-'tion of both Houſes, preſented to his Majeſty the '20th of *March*, 1642; both which are filled with 'harſh Cenſures and cauſeleſs Charges upon the Par-'liament, concerning which we hold it neceſſary to 'give Satisfaction to the Kingdom, ſeeing we find it 'very difficult to ſatisfy his Majeſty; whom, to our

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'great Grief, we have found to be ſo engaged to, and poſſeſſed by, thoſe Miſapprehenſions which evil Counſellors have wrought in him, that our moſt humble and faithful Remonſtrances have rather irritated and imbittered, than any Thing allayed or mitigated, the ſharp Expreſſions which his Majeſty hath been pleaſed to make in Anſwer unto them; for the Manifeſtation whereof, and of our own Innocency, we deſire that all his Majeſty's loving Subjects may take Notice of theſe Particulars. An. 18. Car. I. 1642. May.

'We know no Occaſion given by us, which 'might move his Majeſty to tell us, *That, in our 'Declaration, preſented at* Newmarket, *there were 'ſome Expreſſions different from the uſual Language 'to Princes.*

'Neither did we tell his Majeſty, either in Words 'or in Effect, *That if he did not join with us in an 'Act, which his Majeſty conceived might prove preju-'dicial and dangerous to himſelf and the whole King-'dom, we would make a Law without him, and impoſe 'it upon the People.* That which we deſired was, *that, 'in regard of the imminent Danger of the Kingdom, 'the Militia, for the Security of his Majeſty and his 'People, might be put under the Command of ſuch no-'ble and faithful Perſons as they had all Cauſe to con-'fide in:* And ſuch was the Neceſſity of this Preſervation, that we declared, *That if his Majeſty 'ſhould refuſe to join with us therein, the two Houſes 'of Parliament, being the Supream Court and Higheſt 'Council of the Kingdom, were enabled, by their own 'Authority, to provide for the repulſing of ſuch im-'minent and evident Danger, not by any new Law of 'their own making, as hath been untruly ſuggeſted 'to his Majeſty; but by the moſt antient Law of this 'Kingdom, even that which is Fundamental and Eſ-'ſential to the Conſtitution and Subſiſtence of it.*

'Altho' we never deſired to encourage his Ma-'jeſty to ſuch Replies as might produce any Con-'teſtation betwixt him and his Parliament, of 'which we never found better Effect than Loſs of 'Time and Hinderance of the public Affairs; yet 'we have been far from telling him, *Of how little*

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'*Value his Words would be with us, much less when they are accompanied with Actions of Love and Justice.* His Majesty hath more Reason to find Fault with those wicked Counsellors, who have so often bereaved him of the Honour, and his People of the Fruit, of many gracious Speeches which he made to them; such as those in the End of the last Parliament, *That on the Word of a King, and as he was a Gentleman, he would redress the Grievances of his People, as well out of Parliament as in it.* Were the Searching the Studies and Chambers, yea, the Pockets, of some, both of the Nobility and Commons, the very next Day; the Commitment of Mr. *Bellasis*, Sir *John Hotham*, and Mr. *Crew*; the continued Oppressions by Ship-Money, Coat and Conduct-Money, with the manifold Imprisonments, and other Vexations thereupon, and other ensuing Violations of the Laws and Liberties of the Kingdom, (all which were the Effects of evil Counsel, and abundantly declared in our general Remonstrance of the State of the Kingdom) Actions of Love and Justice, suitable to such Words as those?

'As gracious was his Majesty's Speech in the Beginning of this Parliament, *That he was resolved to put himself, freely and clearly, upon the Love and Affection of his* English *Subjects.* Whether his causeless Complaints and Jealousies, the unjust Imputations so often cast upon his Parliament, his Denial of their necessary Defence by the Ordinance of the Militia, his dangerous Absenting himself from his great Council, like to produce such a mischievous Division in the Kingdom, have not been more suitable to other Men's evil Counsels than to his own Words, will easily appear to any indifferent Judgment.

'Neither have his later Speeches been better used and preserved by these evil and wicked Counsellors: Could any Words be fuller of Love and Justice than these, in his Answer to the Message sent by the House of Commons the 31st of *December*, 164[illegible], *We do engage unto you solemnly the Word of*

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'*a King, that the Security of all and every one of you* An. 18. Car. I.
'*from Violence is, and ever shall be, as much our* 1642.
'*Care, as the Preservation of us and our Children?* May.
' And could any Actions be fuller of Injustice and
' Violence than that of the Attorney-General, in
' falsly accusing the six Members of Parliament,
' and the other Proceedings thereupon, within three
' or four Days after that Message? For the full
' View whereof let the Declaration, made of those
' Proceedings, be perused. By these Instances (we
' could add many more) let the World judge who
' deserves to be taxed with Disvaluing his Majesty's
' Words; they who have, as much as in them lies,
' stained and sullied them with such foul Counsels;
' or the Parliament, who have ever manifested,
' with Joy and Delight, their humble Thankfulness
' for those gracious Words and Actions of Love
' and Justice, which have been conformable there-
' unto.

' The King is pleased to disavow the having any
' such evil Counsel, or Counsellors, as are men-
' tioned in our Declaration, to his Knowledge; and
' we hold it our Duty humbly to avow there are
' such, or else we must say, That all the ill Things,
' done of late in his Majesty's Name, have been
' done by himself; wherein we should neither fol-
' low the Direction of the Law, nor the Affection
' of our own Hearts; which is, as much as may be,
' to clear his Majesty from all Imputation of Mis-
' government, and to lay the Fault upon his Mi-
' nisters. The false Accusing of six Members of
' Parliament; the Justifying Mr. Attorney in that
' false Accusation; the violent Coming to the
' House of Commons; the Denial of the Militia;
' the sharp Messages to both Houses, contrary to
' the Custom of former Kings; the long and re-
' mote Absence of his Majesty from Parliament;
' the heavy and wrongful Taxes upon both Houses;
' the Cherishing and Countenancing a discontented
' Party in the Kingdom against them: These cer-
' tainly are the Fruits of very ill Counsel, apt to put
' the Kingdom into a Combustion, to hinder the

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'Supplies of *Ireland*, and to countenance the Proceedings and Pretenſions of the Rebels there; and 'the Authors of theſe evil Counſels, we conceive, 'muſt needs be known to his Majeſty; and we 'hope our labouring with his Majeſty to have theſe 'diſcovered and brought to a juſt Cenſure, will not 'ſo much wound his Honour in the Opinion of 'his good Subjects, as his labouring to preſerve 'and conceal them.

'And whereas his Majeſty ſaith, *He could wiſh 'that his own immediate Actions, which he avows on 'his own Honour, might not be ſo roughly cenſur'd un-'der that common Style of evil Counſellors:* We could 'alſo heartily wiſh, we had not Cauſe to make that 'Style ſo common; but how often and undutifully 'ſoever theſe wicked Counſellors fix their Diſhonour upon the King, by making his Majeſty the 'Author of thoſe evil Actions which are the Effects of their own evil Counſels, we his Majeſty's 'loyal and dutiful Subjects can uſe no other Style, 'according to that Maxim in the Law, *The King 'can do no Wrong*; but if any Ill be committed in 'Matter of State, the Council muſt anſwer for it; 'if in Matters of Juſtice, the Judges.

'We lay no Charge upon his Majeſty, which 'ſhould put him upon that Apology, concerning 'his faithful and zealous Affection to the Proteſtant 'Profeſſion; neither doth his Majeſty endeavour to 'clear thoſe in greateſt Authority about him, by 'whom, we ſay, that Deſign hath been potently 'carried on for divers Years; and we rather wiſh 'that the Mercies of Heaven, than the Judgments, 'may be manifeſted upon them; but that there 'have been ſuch, there are ſo plentiful and frequent 'Evidences, that we believe there is none, either 'Proteſtant or Papiſt, who hath had any reaſonable 'View of the Paſſages of later Times, but, either 'in Fear or Hope, did expect a ſudden Iſſue of this 'Deſign.

'We have no Way tranſgreſſed againſt the *Act 'of Oblivion*, by remembring the intended War 'againſt *Scotland*, as a Branch of that Deſign to

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'after Religion, by those wicked Counsels, from 'which God did then deliver us, which we ought 'never to forget.

'That the Rebellion in *Ireland* was framed and 'cherished by the Popish and malignant Party in '*England*, is not only affirmed by the Rebels, but 'may be cleared by many other Proofs: The same 'rebellious Principles of pretended Religion, the 'same politic Ends are apparent in both; and their 'malicious Designs and Practices are masked and 'disguised with the same false Colour of their ear-'nest Zeal to vindicate his Majesty's Prerogative 'from the supposed Oppression of the Parliament: 'How much their treacherous Practices have been 'countenanced by some evil Counsel about his 'Majesty may appear in this, That the Proclama-'tion, whereby they were declared Traitors, was 'so long withheld as to the second of *January*, 'tho' the Rebellion broke forth in *October* before; 'and then no more but forty Copies appointed to 'be printed, with a special Command from his 'Majesty not to exceed that Number; and that 'none of them should be published till his Majesty's 'Pleasure were further signified, as by the Warrant 'appears *: so that a few only could take Notice 'of it: This was made more observable, by the 'late contrary Proceedings against the Scots; who 'were, in a very quick and sharp Manner, pro-'claimed Traitors; and those Proclamations forth-'with enlarged, with as much Diligence as might 'be, through all the Kingdom, and ordered to be

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* The Warrant here referred to was as follows:

'It is his Majesty's Pleasure that you forthwith print, on a very 'good Paper, and fair Letter, the Bill of Treason, and 'Copies of the Proclamation thereto, [illegible] 'for his Majesty to subscribe, and to affix the Privy Seal unto 'them; and his Majesty's special Command is, That you make 'no more than the Number of forty Copies; and further to make 'no further Publication of them, till his Pleasure be further signi-'fied, for which this shall be your Warrant.

Whitehall, January 2, 1641. EDWARD NICHOLAS.

To his Majesty's Printer.

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read in all Churches, accompanied with public Prayers and Execrations. Another Evidence of Favour and Countenance to the Rebels, in some of Power about his Majesty, is this, That they have put forth, in his Majesty's Name, a causeless Complaint against the Parliament, which speaketh the same Language of the Parliament which the Rebels do; thereby to raise a Belief in Men's Minds, that his Majesty's Affections are alienated, as well as his Person is removed, from that his great Council. All which do exceedingly retard the Supplies of *Ireland*, and more advance the Proceedings of the Rebels, than any Jealousy or Misapprehension begotten in his Subjects, by the Declaration of the Rebels, the Injunctions of *Rosetti*, or the Information of *Tristram Whitcombe*: So that, considering the present State and Temper of both Kingdoms, his Royal Presence is far more necessary here than it can be in *Ireland*, for the Redemption or Protection of his Subjects there.

'And whether there be any Cause of his Majesty's great Indignation, for being reproach'd to have intended Force or Threatning to the Parliament, we desire them to consider who shall read our Declaration; in which there is no Word tending to any such Reproach: And certainly we have been more tender of his Majesty's Honour in this Point, than he, whosoever he was, that did write this Declaration; where, in his Majesty's Name, he doth call God to witness, *He never had any such Thought, or knew of any such Resolution of bringing up the Army*; which, truly, will seem strange to those, who shall read the Deposition of Mr. *Goring*, the Information of Mr. *Percy*, and divers Examinations of Mr. *Wilmot*, Mr. *Pollard*, and others; the Examinations of Capt. *Legge*, Sir *Jacob Astley*, and Sir *John Conyers*; and consider the Condition and Nature of the Petition, which was sent unto Sir *Jacob Astley*, under the Approbation of *C. R.* which his Majesty doth now acknowledge to be his own Hand, which, being full of Scandal to the Parliament, might have proved dan-

'dangerous to the whole Kingdom, if the Army 'should have interpos'd betwixt the King and them, 'as was desired. An. 18. Car. I. 1642. May.

'We do not affirm, *That his Majesty's Warrant 'was granted for the Passage of Mr.* Jermyn, *after 'the Desire of both Houses for the Restraint of his 'Servants*; but only, *That he did pass over, after 'that Restraint, by virtue of such a Warrant.* We 'know the Warrant bears Date the Day before our 'Desire; yet it seems strange to those who know 'what great Respect and Power Mr. *Jermyn* had 'in Court, that he should begin his Journey in 'such Haste, and in Apparel so unfit for Travel, 'as a black Sattin Suit and white Boots, if his going 'away were designed the Day before.

'The Accusation of the Lord *Kimbolton* and the 'five Members of the House of Commons, is call'd 'a Breach of Privilege; and truly so it was, and a 'very high one, far above any Satisfaction that 'hath been yet given. How can it be said to be '*largely satisfied*, so long as his Majesty laboured to 'preserve Mr. Attorney from Punishment, who 'was the visible Actor in it? So long as his Majesty 'hath not only justified him, but, by his Letter, 'declared, *That it was his Duty to accuse them*; '*and that he would have punished him, if he had not 'done it?* So long as those Members have not the 'Means of clearing their Innocency, and the Au-'thors of that malicious Charge undiscovered, tho' 'both Houses of Parliament have several Times 'petitioned his Majesty to discover them; and that 'not only upon Grounds of common Justice, but 'by Act of Parliament, his Majesty is bound to 'do it? So long as the King refuseth to pass a Bill 'for their Discharge, alledging, *That the Narrative 'in that Bill is against his Honour*; whereby he 'seems still to avow the Matter of that false and 'scandalous Accusation, though he deserts the Pro-'secution; offering to pass a Bill for their Acquit-'tal, yet with Intimation, *That they must desert the 'Avowing their own Innocency?* which would more

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'wound them in Honour, than ſecure them in 'Law.

'And, in Vindication of this great Privilege of 'Parliament, we do not know that we have in- 'vaded any Privilege belonging to his Majeſty, as 'is alledged in this Declaration.

'But we look not upon this, only, in the Notion 'of a Breach of Privilege, which might be, though 'the Accuſation were true or falſe; but under the 'Notion of a heinous Crime in the Attorney and 'all other Subjects who had a Hand in it; a Crime 'againſt the Law of Nature; againſt the Rules of 'Juſtice, that innocent Men ſhould be charged 'with ſo great an Offence as Treaſon, in the Face 'of the higheſt Judicatory of the Kingdom; where- 'by their Lives and Eſtates, their Blood and Ho- 'nour are endangered, without Witneſs, without 'Evidence, without all Poſſibility of Reparation, 'in a legal Courſe; yet a Crime of ſuch a Nature, 'that his Majeſty's Command can no more warrant, 'than it can any other Acts of Injuſtice. It is true, 'thoſe Things which are evil in their own Nature, 'ſuch as a falſe Teſtimony or falſe Accuſation, can- 'not be the Subject of any Command, or induce 'any Obligation of Obedience upon any Man, by 'any Authority whatſoever; therefore the Attor- 'ney, in this Caſe, was bound to refuſe to execute 'ſuch a Command, unleſs he had ſome ſuch Evi- 'dence or Teſtimony as might have warranted him 'againſt the Parties, and be liable to make Satisfac- 'tion if it ſhould prove falſe: And it is ſufficiently 'known to every Man, and adjudged in Parliament, 'that the King can be neither Relator, Informer, 'nor Witneſs. If it reſt as it is, without further Sa- 'tisfaction, no future Parliament can be ſafe but 'that the Members may be taken and deſtroyed at 'Pleaſure; yea the very Principles of Government 'and Juſtice will be in Danger to be diſſolved.

'We do not conceive that Numbers do make an 'Aſſembly unlawful; but when either the End or 'Manner of their Carriage ſhall be unlawful. Di-

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'vers juſt Occaſions might draw the Citizens to *Weſtminſter*, where many public and private Petitions, and other Cauſes, were depending in Parliament; and why that ſhould be found more faulty in the Citizens, than the Reſort of great Numbers every Day in the Term to the ordinary Courts of Juſtice, we know not. That thoſe Citizens were notoriouſly provoked and aſſaulted at *Weſtminſter*, by Col. *Lunsford*, Capt. *Hide*, with divers others, and by ſome of the Servants of the Archbiſhop of *York*, is ſufficiently proved; and that afterward they were more violently wounded, and moſt barbarouſly mangled with Swords by the Officers and Soldiers near *Whitehall*, many of them being without Weapons, and giving no Cauſe of Diſtaſte, is likewiſe proved by ſeveral Teſtimonies: But of any ſcandalous or ſeditious Miſdemeanors of theirs, that might give his Majeſty good Cauſe to ſuppoſe his own Perſon, or thoſe of his Royal Conſort or Children, to be in apparent Danger, we have had no Proof ever offered to either Houſe; and if there had been any Complaint of that Kind, it is no Doubt the Houſes would have been as forward to join in an Order for the Suppreſſing of ſuch Tumults, as they were, not long before, upon another Occaſion, when they made an Order to that Purpoſe: Whereas thoſe Officers and Soldiers, which committed that Violence upon ſo many of the Citizens at *Whitehall*, were cheriſhed and foſtered in his Majeſty's Houſe; and when, not long after, the Common-Council of *London* preſented a Petition to his Majeſty for Reparation of thoſe Injuries, his Majeſty's Anſwer was, without hearing the Proof of the Complainants, *That if any Citizen were wounded or ill treated, his Majeſty was confidently aſſured that it happened by their own evil and corrupt Demeanors.* An. 18. Car. I. 1642. May.

'We hope it cannot be thought contrary to the Duty and Wiſdom of a Parliament, if many concurring, and frequently reiterated and renewed, Adverti ſements from *Rome*, *Venice*, *Paris*, and

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'other Parts; if the Solicitation of the Pope's Nuncio and our own discontented Fugitives do make 'us jealous and watchful for the Safety of the State. 'And we have been very careful to make our Expressions thereof so easy and so plain to the Capacity and Understanding of the People, that nothing 'might, justly, stick with them with Reflection 'upon the Person of his Majesty; wherein we appeal 'to the Judgment of any indifferent Person who 'shall read and peruse our own Words.

'We must maintain the Ground of our Fears to 'be of that Moment, that we cannot discharge the 'Trust and Duty which lies upon us, unless we do 'apply ourselves to the Use of those Means, to 'which the Law hath enabled us, in Cases of this 'Nature, for the necessary Defence of the Kingdom: And as his Majesty doth graciously declare, '*The Law shall be the Measure of his Power*; so 'do we most heartily profess, *That we shall always 'make it the Rule of our Obedience.*

Prudent Omissions in the KING's ANSWER.

'The next Point of our Declaration was, with 'much Caution, artificially passed over by him 'who drew his Majesty's Answer; it being indeed 'the Foundation of all our Misery and his Majesty's 'Trouble, That he is pleased to hear general Taxes 'upon his Parliament, without any particular 'Charge to which they may give Satisfaction; and 'that he hath often conceived Displeasure against 'particular Persons upon Misinformation, and altho' those Informations have been clearly prov'd 'to be false, yet he would never bring the Accusers 'to Question; which layeth an Impossibility upon 'honest Men of clearing themselves, and gives En'couragement unto false and unworthy Persons 'to trouble him with untrue and groundless Infor'mations. Three Particulars we mentioned in our 'Declaration, which the Penner of that Answer 'had good Cause to omit, *viz. The Words supposed 'to be spoken at* Kensington; *the pretended Ar'ticles against the Queen*; *and the groundless Accusa'tion*

'tion of the six *Members of the Parliament*; there being nothing to be said in Defence or Denial of any of them. An. 18. Car. I. 1642. May.

'Concerning his Majesty's Desire *to join with his Parliament, and with his faithful Subjects, in Defence of Religion and the Public Good of the Kingdom*; we doubt not but he will do it fully when evil Counsellors shall be removed from about him; and until that be, as we shewed before of Words, so must we also say of Laws, that they cannot secure us: Witness the Petition of Right, which was followed with such an Inundation of illegal Taxes, that we had just Cause to think that the Payment of 820,000 *l.* was an easy Burden to the Commonwealth in Exchange of them: And we cannot but justly think, that, if there be a Continuance of such ill Counsellors and Favour to them, they will, by some wicked Device or other, make the Bill for the Triennial Parliament, and those other excellent Laws mentioned in his Majesty's Declaration, of less Value than Words.

'That excellent Bill, for the Continuance of this Parliament, was so necessary, that, without it, we could not have raised such great Sums of Money for the Service of his Majesty and the Commonwealth as we have done; and, without which, the Ruin and Destruction of the Kingdom must needs have followed: And we are resolved the gracious Favour of his Majesty expressed in that Bill, and the Advantage and Security which, thereby, we have from being dissolved, shall not encourage us to do any Thing, which, otherwise, had not been fit to have been done. And we are ready to make it good before all the World, that although his Majesty hath passed many Bills very advantageous for the Subject; yet, in none of them, have we bereav'd his Majesty of any just, necessary, or profitable Prerogative of the Crown.

'We so earnestly desire his Majesty's Return to *London*, that upon it, we conceive, depends the very Safety and Being of both his Kingdoms.

'And

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'And therefore we must protest, That, as for the 'Time past, neither the Government of *London*, 'nor any Laws of the Land, have lost their Life and 'Force for his Security, so, for the future, we 'shall be ready to do or say any Thing that may 'stand with the Duty or Honour of a Parliament, 'which may raise a mutual Confidence betwixt his 'Majesty and us, as we do wish, and as the Affairs 'of the Kingdom do require.

'Thus far the Answer to that which is called 'His Majesty's *Declaration* hath led us, now we 'come to that which is intitled, *His Majesty's An-'swer to the Petition of both Houses*, presented to 'him at *York* the 26th of *March*, 1642. In the 'Beginning whereof his Majesty wisheth, *That our 'Privileges on all Parts were so stated, that this 'Way of Correspondency might be preserved with that 'Freedom which hath been used of old:* We know 'nothing introduced by us, that gives any Impedi-'ment hereunto; neither have we affirmed our Pri-'vileges to be broken, when his Majesty denies us 'any Thing, or gives a Reason why he cannot grant 'it; or that those, who advised such Denial, were 'Enemies to the Peace of the Kingdom, and Fa-'vourers of the *Irish* Rebellion; in which Aspersion, 'that is turned into a general Assertion, which, in 'our Votes, is applied to a particular Case; where-'fore we must maintain our Votes, *That those who 'advised his Majesty to contradict that which both 'Houses, in the Question concerning the Militia, had 'declared to be Law, and to command it should not be 'obeyed, is a high Breach of Privilege; and that 'those who advised his Majesty to absent himself 'from his Parliament, are Enemies to the Peace of 'the Kingdom, and justly to be suspected to be Favour-'ers of the Rebellion in* Ireland: The Reasons of 'both are evident; because, in the *first*, there is 'a great Derogation from the Trust and Autho-'rity of Parliament; and, in the *second*, as much 'Advantage to the Proceedings and Hopes of the 'Rebels, as may be. And we hold it a very 'causeless Imputation upon the Parliament, That

'we

'we have herein any way impeach'd, much leſs taken away, the Freedom of his Majeſty's Vote; which doth not import a Liberty for his Majeſty to deny any Thing, how neceſſary ſoever, for the Preſervation of the Kingdom; much leſs a Licence to evil Counſellors to adviſe any Thing, though never ſo deſtructive to his Majeſty and his People. An. 18. Car. I. 1642. May.

'By the Meſſage of the 20th of *January*, his Majeſty did propound to both Houſes of Parliament, '*That they would, with all Speed, fall into a ſe-*'*rious Conſideration of all thoſe Particulars which* '*they thought neceſſary, as well for the upholding and* '*maintaining his Majeſty's juſt and regal Authority,* '*and for ſettling his Revenue, as for the preſent and* '*future eſtabliſhing our Privileges; the free and* '*quiet enjoying our Eſtates; the Liberties of our Per-*'*ſons; the Security of the true Religion profeſs'd in* '*the Church of* England; *and the ſettling of Cere-*'*monies in ſuch a Manner as may take away all juſt* '*Offence; and to digeſt it into one entire Body.*

'To that Point of upholding and maintaining 'his Royal Authority; we ſay nothing hath been 'done to the Prejudice of it, that ſhould require 'any new Proviſion. To the other, of ſettling the 'Revenue; the Parliament hath no way abridg'd or 'diſorder'd his juſt Revenue; but it is true, that 'much Waſte and Confuſion of his Majeſty's Eſtate 'hath been made, by thoſe evil and unfaithful Mini-'ſters whom he hath employed in the managing of 'it; whereby his own ordinary Expences would 'have been diſappointed, and the Safety of the King-'dom more endangered, if the Parliament had not, 'in ſome Meaſure, provided for his Houſhold, and 'for ſome of the Forts, more than they were bound 'to do; and they are ſtill willing to ſettle ſuch a 'Revenue upon his Majeſty as may make him live 'royally, plentifully, and ſafely; but they cannot, 'in Wiſdom and Fidelity to the Commonwealth, 'do this, 'till he ſhall chuſe ſuch Counſellors and 'Officers as may order and diſpoſe it to the Public 'Good; and not apply it to the Ruin and De-

'ſtruction

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'ſtruction of his People, as heretofore it hath been: 'But this, and the other Matters concerning ourſelves, being Works of great Importance, and 'full of Intricacy, will require ſo long a Time of 'Deliberation, that the Kingdom might be ruined 'before we ſhould effect them; wherefore we 'thought it neceſſary, firſt to be Suitors to his 'Majeſty ſo to order the Militia, that, the Kingdom being ſecured, we might, with more Eaſe 'and Safety, apply ourſelves to debate of that Meſſage; wherein we have been interrupted by his 'Majeſty's Denial of the Ordinance concerning the 'ſame; becauſe it would be in vain for us to labour 'in other Things, and, in the mean Time, to leave 'ourſelves naked to the Malice of ſo many Enemies, both at home and abroad: Yet we have not 'been altogether negligent of thoſe Things which 'his Majeſty is pleas'd to propound in that Meſſage; 'we have agreed upon a Book of Rates, in a larger 'Proportion than hath been granted to any of his 'Majeſty's Predeceſſors, which is a conſiderable 'Support of his Majeſty's public Charge; and have 'likewiſe prepared divers Propoſitions and Bills for 'the Preſervation of our Religion and Liberties, 'which we intend ſhortly to preſent to his Majeſty: 'and to do whatſoever is fit for us, to make up 'this unpleaſant Breach betwixt his Majeſty and 'the Parliament.

'Whereas divers Exceptions are here taken concerning the Militia; firſt, *That his Majeſty never 'denied the Thing, but accepted the Perſons, except 'for Corporations; only that he denied the Way.* To 'this we anſwer, That the Exception takes off *London*, and all other great Towns and Cities, 'which makes a great Part of the Kingdom; and 'for the Way of Ordinance, it is antient, more 'ſpeedy, more eaſily alterable; and, in all theſe 'and other Reſpects, more proper and more applicable to the preſent Occaſion, than a Bill, 'which his Majeſty calls *the only good old Way of 'impoſing upon the Subjects.* It ſhould ſeem that 'neither his Majeſty's Royal Predeceſſors, nor our

'An-

'Anceſtors, have heretofore been of that Opinion; An. 18. Car. I.
'for in 37. *Edward* III. we find this Record, 1642.
"The Chancellor made Declaration of the Chal- May.
"lenge of the Parliament; the King deſires to
"know the Griefs of his Subjects, and to redreſs
"Enormities. The laſt Day of the Parliament the
"King demanded of the whole Eſtates, Whether
"they would have ſuch Things as they agreed on,
"by way of Ordinance or Statute; who anſwered,
"by way of Ordinance, for that they might amend
"the ſame at their Pleaſure; and ſo it was. [k]

'But his Majeſty objects further, *That there is* 'ſomewhat in the Preface, *to which he could not* 'conſent with Juſtice to his Honour and Innocence; 'and that thereby he is excluded from any Power in 'the Diſpoſing thereof. Theſe Objections may 'ſeem ſomewhat, but indeed will appear nothing, 'when it ſhall be conſidered, That nothing in the 'Preamble lays any Charge upon his Majeſty; or, 'in the Body of the Ordinance, that excludes his 'Royal Authority in the Diſpoſing or Execution 'of it; but only it is provided, *That it ſhould be* 'ſignified by both Houſes of Parliament, as that 'Channel thro' which it will be beſt derived, and, 'moſt certainly, to thoſe Ends for which it is in- 'tended: And let all the World judge, whether 'we have not Reaſon to inſiſt upon it, That the 'Strength of the Kingdom ſhould rather be order- 'ed according to the Direction or Advice of the 'Great Council of the Land, equally intruſted by 'the King and the Kingdom, than that the Safety 'of the King, Parliament, and Kingdom ſhould be 'left at the Devotion of a few unknown Counſel- 'lors; many of them not intruſted at all by the 'King in any public Way, nor at all confided in 'by the Kingdom.

'We wiſh the Danger were not imminent, or 'not ſtill continuing; but we cannot conceive 'that the long Time ſpent in this Debate is Evi- 'dence ſufficient, *That there was no ſuch Neceſſity or* 'Dan-

[k] The Reader will find the Authority, here cited, in our Firſt Volume.

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'*Danger, but a Bill might eaſily have been prepared;* 'for when many Cauſes do concur to the Danger 'of a State, the Interruption of any one may hin- 'der the Execution of the reſt, and yet the Deſign 'be ſtill kept on foot for better Opportunities: 'Who knows whether the ill Succeſs of the Rebels 'in *Ireland* hath not hindered the Inſurrection of 'the Papiſts here? Whether the Preſervation of 'the ſix Members of the Parliament, falſely ac- 'cuſed, hath not prevented that Plot of the break- 'ing the Neck of the Parliament, of which we 'were informed from *France*, not long before they 'were accuſed? Yet, ſince his Majeſty had been 'pleaſed to expreſs his Pleaſure rather for a Bill 'than an Ordinance, and that he ſent in one for 'that Purpoſe, we readily entertained it; and, with 'ſome ſmall and neceſſary Alterations, ſpeedily 'paſſed the ſame: But, contrary to the Cuſtom of 'Parliament, and our Expectation grounded upon 'his Majeſty's own Invitation of us to that Way, 'and the other Reaſons manifeſted in our Decla- 'ration concerning the Militia, of the 5th of *May*, 'inſtead of his Royal Aſſent, we met with an ab- 'ſolute Refuſal.

'If the Matter of thoſe our Votes of the 15th 'and 16th of *March*, be according to Law, we 'hope his Majeſty will allow the Subjects to be 'bound by them; becauſe he hath ſaid, *He will* '*make the Law the Rule of his Power:* And if the 'Queſtion be, Whether that be Law which the 'Lords and Commons have once declared to be ſo, 'who ſhall be the Judge? Not his Majeſty, for 'the King judgeth not of Matters of Law, but by 'his Courts; and his Courts, though ſitting by his 'Authority, expect not his Aſſent in Matters of 'Law: Not any other Courts, for they cannot 'judge in that Caſe, becauſe they are inferior; no 'Appeal lying to them from Parliament, the Judg- 'ment whereof is, in the Eye of the Law, the 'King's Judgment in his higheſt Court, tho' the 'King, in his Perſon, be neither preſent nor aſ- 'ſenting thereunto.

'The

The Votes at which his Majesty takes Exceptions are these: An. 18. Car. I. 1642. May.

1. *That the King's Absence so far remote from the Parliament, is not only an Obstruction, but may be a Destruction to the Affairs of* Ireland.

2. *That when the Lords and Commons shall declare what the Law of the Land is, to have this not only questioned and controverted, but contradicted, and a Command that it should not be obeyed, is a high Breach of the Privilege of Parliament.*

3. *That those Persons that advised his Majesty to absent himself from the Parliament, are Enemies to the Peace of the Kingdom, and justly may be suspected to be Favourers of the Rebellion in* Ireland.

4. *That the Kingdom hath been of late, and still is, in so imminent Danger, both from Enemies abroad, and a Popish and discontented Party at home, that there is an urgent and inevitable Necessity of putting his Majesty's Subjects into a Posture of Defence, for the Safeguard both of his Majesty and his People.*

5. *That the Lords and Commons, fully apprehending this Danger, and being sensible of their own Duty to provide a suitable Prevention, have, in several Petitions, addressed themselves to his Majesty for the Ordering and Disposing the Militia of the Kingdom, in such a Way as was agreed upon, by the Wisdom of both Houses, to be most effectual and proper for the present Exigencies of the Kingdom, yet could not obtain it; but his Majesty did, several Times, refuse to give his Royal Assent thereunto.*

6. *That in this Case of extreme Danger, and his Majesty's Refusal, the Ordinance of Parliament agreed upon by both Houses, for the Militia, doth oblige the People; and ought to be obeyed, by the Fundamental Laws of the Kingdom.*

'By all which it doth appear, that there is no 'Colour of this Tax, *That we go about to introduce* 'a *new Law*, much less to exercise an arbitrary 'Power; but indeed to prevent it: For this Law 'is as old as the Kingdom. That the Kingdom

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'must not be without a Means to preſerve it ſelf; 'which, that it may be done without Confuſion, 'this Nation hath intruſted certain Hands with a 'Power to provide, in an orderly and regular Way, 'for the Good and Safety of the Whole; which 'Power, by the Conſtitution of this Kingdom, is 'in his Majeſty and in his Parliament together; yet 'ſince the Prince, being but one Perſon, is more ſub-'ject to Accidents of Nature and Chance, where-'by the Commonwealth may be deprived of the 'Fruit of that Truſt which was in part repoſed in 'him; in Caſes of ſuch Neceſſity, that the King-'dom may not be inforced preſently to return to 'its firſt Principles, and every Man left to do what 'is right in his own Eyes, without either Guide or 'Rule, the Wiſdom of this State hath intruſted the 'Houſes of Parliament with a Power to ſupply what 'ſhall be wanting on the Part of the Prince; as is 'evident by the conſtant Cuſtom and Practice there-'of, in Caſes of Non-Age, natural Diſability, and 'Captivity; and the like Reaſon doth, and muſt, 'hold for the Exerciſe of the ſame Power in ſuch 'Caſes, where the Royal Truſt cannot be or is not 'diſcharged, and that the Kingdom runs an evident 'and imminent Danger thereby; which Danger, 'having been declared by the Lords and Commons 'in Parliament, there needs not the Authority of 'any Perſon or Court to affirm, nor is it in the 'Power of any Perſon or Court to revoke, that 'Judgment.

'We know the King hath Ways enough, in his 'ordinary Courts of Juſtice, to puniſh ſuch ſeditious 'Pamphlets and Sermons as are any way prejudicial 'to his Rights, Honour, and Authority; and if any 'of them have been ſo inſolently violated and vilified, 'his Majeſty's own Council and Officers have been 'to blame, and not the Parliament; we never did 'reſtrain any Proceedings of that Kind in other 'Courts, nor refuſe any fit Complaint to us. The '*Proteſtation proteſted* was referred by the Com-'mons Houſe to a Committee, and the Author not 'being

'being produced, the Printer was committed to Pri- An. 18. Car. I.
'ſon, and the Book voted by that Committee to 1642.
'be burnt; but Sir *Edward Dering*, who was to May.
'make that Report of the Votes of that Commit-
'tee, neglected to make it: The Apprentices Pro-
'teſtation was never complained of; but the other
'ſeditious Pamphlet, *To your Tents, O* Iſrael, was
'once queſtioned, and the full Proſecution of it was
'not interrupted by any Fault of either Houſe;
'whoſe Forwardneſs to do his Majeſty all Right
'therein may plainly appear, in that a Committee
'of Lords and Commons was purpoſely appointed
'to take ſuch Informations as the King's Counſel
'ſhould preſent, concerning ſeditious Words, Prac-
'tices or Tumults, Pamphlets or Sermons, tend-
'ing to the Derogation of his Majeſty's Rights, or
'Prerogative; and his Counſel were enjoined by
'that Committee, to enquire and preſent them, who
'ſeveral Times met thereupon, and received this
'Anſwer and Declaration from the King's Coun-
'ſel, *That they knew of no ſuch Thing as yet.*

'If his Majeſty had uſed the Service of ſuch a
'one in penning this Anſwer, who underſtood the
'Laws and Government of this Kingdom, he
'would not have thought it legally in his Power to
'deny his Parliament a Guard, when they ſtood in
'need of it, ſince every ordinary Court hath it;
'neither would his Majeſty, if he had been well
'informed of the Laws, have refuſed ſuch a Guard
'as they deſired, it being in the Power of inferior
'Courts to command their own Guard; neither
'would he have impoſed upon them ſuch a Guard
'under a Commander which they could not con-
'fide in; which is clearly againſt the Privileges of
'Parliament, and of which they found very dan-
'gerous Effects, and therefore deſired to have it
'diſcharged: But ſuch a Guard, and ſo command-
'ed, as the Houſes of Parliament deſired, they
'could never obtain of his Majeſty; and the placing
'of a Guard about them contrary to their Deſire,
'was not to grant a Guard to them, but, in effect,
'to ſet one upon them. All which conſidered, we

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'believe, in the Judgments of any indifferent Per-
'ſons, it will not be thought ſtrange if there were
'a more than ordinary Reſort of People at *Weſt-*
'*minſter*, of ſuch as came willingly, of their own
'Accord, to be Witneſſes and Helpers of the Safe-
'ty of them whom all his Majeſty's good Subjects
'are bound to defend from Violence and Danger;
'or that ſuch a Concourſe as this, they carrying
'themſelves quietly and peaceably as they did,
'ought, in his Majeſty's Apprehenſion, or can,
'in the Interpretation of the Law, be held tumul-
'tuary and ſeditious.

'When his Majeſty in that Queſtion of *Viola-*
'*tion of the Laws*, had expreſſed the Obſervation
'of them indefinitely, without any Limitation of
'Time; although we never ſaid or thought any
'Thing that might look like a Reproach to his
'Majeſty, yet we had Reaſon to remember that it
'had formerly been otherwiſe, leſt we ſhould ſeem
'to deſert our Complaints and Proceedings thereup-
'on, as his Majeſty doth ſeem but little to like or
'approve of them; for although he doth acknow-
'ledge here that great Miſchief which grew by that
'arbitrary Power then complained of, yet ſuch are,
'continually, preferred and countenanced as were
'Friends or Favourers of, or related unto, the
'chief Authors and Actors of that arbitrary Power
'and of thoſe falſe Colours and Suggeſtions of im-
'minent Danger and Neceſſity, whereby they did
'make it plauſible unto his Majeſty; and, on the
'other Side, ſuch as did appear againſt them are
'daily diſcountenanced and diſgraced; which whilſt
'it ſhall be ſo, we have no Reaſon to judge the
'Diſeaſe to be yet killed and dead at Root; and
'therefore no Reaſon to bury it in Oblivion. And
'whilſt we behold the Spawns of thoſe miſchievous
'Principles cheriſhed and foſtered in that new Ge-
'neration of Counſellors, Friends and Abettors of
'the former, or at leaſt concurring with them in
'their Malignancy againſt the Proceedings of this
'Parliament, we cannot think ourſelves ſecure
'from the like or a worſe Danger.

'And

'And here the Penner of the Answer bestows an Admonition upon the Parliament, bidding us *take Heed we fall not upon the same Error, upon the same Suggestions*; but he might have well spared this, till he could have shewn wherein we had exercised any Power, otherwise than by the Rule of the Law; or could have found a more authentic or a higher Judge in Matters of Law than the High Court of Parliament. An. 18. Car. I. 1642. May.

'It is declared in his Majesty's Name, *That he is resolved to keep the Rule himself; and, to his Power, to require the same of all others.* We must needs acknowledge that such a Resolution is like to bring much Happiness and Blessing to his Majesty and all his Kingdoms; yet, with Humility, we must confess we have not the Fruit of it, in that Case of the Lord *Kimbolton*, and the other five Members, accused contrary to Law, both Common Law and Statute Law, and yet remaining unsatisfied; which Case was remembered in our Declaration as a strange and unheard-of Violation of our Laws: But the Penner of this Answer thought fit to pass it over, hoping that many would read his Majesty's Answer, which hath been so carefully dispersed, who would not read our Declaration.

'Whereas, after our ample Thanks and Acknowledgment of his Majesty's Favour in passing many good Bills, we said, *That Truth and Necessity inforced us to add this, That, in or about the Time of passing those Bills, some Design or other hath been on foot, which, if it had taken Effect, would not only have deprived us of the Fruit of those Bills, but would have reduced us to a worse Condition of Confusion, than that wherein the Parliament found us:* It is now told us, *That the King must be most sensible of what we cast upon him, for Requital of those good Bills*; whereas, out of our usual Tenderness of his Majesty's Honour, we did not mention him at all: But so injurious are those wicked Counsellors to the Name and Honour of their Master and Sovereign,

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'that, as much as they can, they lay their own 'Infamy and Guilt upon his Shoulders.

'Here God is alſo called to witneſs *his Majeſty's* 'upright Intentions at the paſſing of thoſe Laws. 'This we will not queſtion; neither did we give 'any Occaſion for ſuch a ſolemn Aſſeveration as 'this is. The Devil is likewiſe defied to prove 'there was any Deſign, with his Majeſty's Know-'ledge or Privity. This might well have been 'ſpared; for we ſpake nothing of his Majeſty: 'But ſince we are ſo far taxed as to have it affirm-'ed, *That we laid a notorious and falſe Imputation* 'upon his Majeſty, we have thought it neceſſary, 'for the juſt Defence of our own Innocency, to 'cauſe the Oaths and Examinations, which have 'been taken concerning the Deſign, to be publiſh'd 'in a full Narration, for Satisfaction of all his Ma-'jeſty's Subjects, out of which we ſhall now offer 'ſome few Particulars; whereby the World may 'judge whether we could have proceeded with 'more Tenderneſs toward his Majeſty than we 'have done. Mr. *Goring* confeſſeth, 'That the "King firſt aſked him, Whether he were engaged "in any Cabal concerning the Army, and com-"manded him to join with Mr. *Piercy*, Mr. "*Jermyn*, and ſome others whom they ſhould find "within at Mr. *Piercy's* Chamber, where they "took the Oath of Secrecy; and then debated of a "Deſign, propounded by Mr. *Jermyn*, to ſecure "the *Tower*, and to conſider of bringing up the Ar-"my to *London*.' And Captain *Legg* confeſſed, "He had received the Draught of a Petition in the "King's Preſence'; and his Majeſty acknowledg-'eth it was from his own Hand. And whoſoever 'reads the Sum of that Petition, as it was proved 'by the Teſtimony of Sir *Jacob Aſtley*, Sir *John* '*Conyers*, and Captain *Legg*, will eaſily perceive 'ſome Points in it apt to beget in them ſome Diſ-'content againſt the Parliament. And can any 'Man believe there was no Deſign in the Accuſa-'tion of the Lord *Kimbolton* and the reſt, in which 'his Majeſty doth avow himſelf to be both a Com-

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'mander and an Actor? These Things being so, it will easily appear to be as much against the Rules of Prudence, that the Penner of this Answer should entangle his Majesty in this unnecessary Apology, as it is against the Rules of Justice, that any Reparation from us should be either yielded, or demanded. An. 18. Car. I. 1642. May.

'It is professed in his Majesty's Name, *That he is truly sensible of the Burdens of his People*; which makes us hope that he will take that Course which will be most effectual, to ease them of these Burdens; that is, to join with his Parliament in preserving the Peace of the Kingdom; which, by his Absence from them, hath been much endangered; and which, by hindering the voluntary Adventurers for Recovery of *Ireland*, and disabling the Subjects to discharge the great Tax laid upon them, is like to make the War much more heavy to the Kingdom. And for his Majesty's Wants, the Parliament have been no Cause of them: We have not diminished his just Revenue; but have much eased his public Charge, and somewhat his private. And we shall be ready, in a Parliamentary Way, to settle his Revenue in such an honourable Proportion, as may be answerable to both, when he shall put himself into such a Posture of Government, that his Subjects may be secure to enjoy his just Protection for their Religion, Laws, and Liberties.

'We never refused his Majesty's gracious Offer of a free and general Pardon, only we said, *It could be no Security to our present Fears and Jealousies*: And we gave a Reason for it, *That those Fears did not arise out of any Guilt of our own Actions; but out of the evil Designs and Attempts of others.* And we leave it to the World to judge, whether we, herein, have deserved so heavy a Tax and Exclamation, *That it was a strange World when Princes proffered Favours are counted Reproaches*; such are the Words of his Majesty's Answer. We do esteem that Offer as an Act of Princely Grace and Bounty, which, since this Parliament

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ment began, we have humbly desired we might obtain; and do still hold it very necessary and advantageous for the Generality of the Subjects, upon whom these Taxes and Subsidies lie heaviest; but we see, upon every Occasion, how unhappy we are in his Majesty's Misapprehensions of our Words and Actions.

'We are fully of the King's Mind as it is here declared, *That he may rest so secure of the Affections of his Subjects, that he should not stand in Need of foreign Force to preserve him from Oppression*; and are confident, that he shall never want an abundant Evidence of the good Wishes and Assistance of his whole Kingdom; especially if he shall be pleased to hold to that gracious Resolution of building upon that sure Foundation, *the Law of the Land:* But why his Majesty should take it ill, that we, having received Informations so deeply concerning the Safety of the Kingdom, should think them proper to be considered of, we cannot conceive; for although the Name of the Person were unknown, yet that which was more substantial to the Probability of the Report was known; that is, that he was Servant to the Lord *Digby*; who, in his presumptuous Letter to the Queen's Majesty, and other Letters to Sir *Lewis Dives*, had intimated some wicked Proposition suitable to that Information: But that this should require Reparation, we hold it as far from Justice as it is from Truth, *That we have mix'd any Malice with these Rumours, thereby to feed the Fears and Jealousies of the People.*

'It is affirmed, *His Majesty is driven (but not by us yet) from us.* Perchance hereafter, if there be Opportunity of gaining more Credit, they will not be wanting who will suggest unto his Majesty, That it is done *by us.* And if his Majesty were driven from us, we hope it was not by his own Fears, but by the Fears of the Lord *Digby* and his Retinue of Cavaliers: And those not Fears of any tumultuary Violence, but of their just Punishment

'nishment for their manifold Insolence, and intend- An. 18. Car. I. 1642.
'ed Violence, against the Parliament: And this is May.
'expressly declared by the Lord *Digby* himself,
'when he told those Cavaliers, *That the principal*
'*Cause of his Majesty's going out of Town was to*
'*save them from being trampled in the Dirt:* But of
'his Majesty's Person there was no Cause of Fear,
'in the greatest Heat of the People's Indignation
'after the Accusation; and at his Majesty's vio-
'lent Coming to the House, there was no Shew of
'any evil Intention against his Royal Person; of
'which there can be no better Evidence than this,
'that he came next Day without a Guard into the
'City, where he heard nothing but Prayers and Pe-
'titions; no Threatnings or irreverent Speeches
'that might give him any just Occasion of Fear,
'that we have heard of, or that his Majesty ex-
'press'd; for he staid near a Week after at *White-*
'*hall*, in a secure and peaceable Condition; where-
'by we are induced to believe, that there is no
'Difficulty nor Doubt at all, but his Majesty's
'Residence near *London* may be as safe as in any
'Part of the Kingdom. We are most assured of the
'Faithfulness of the City and Suburbs; and, for
'ourselves, we shall quicken the Vigour of the
'Laws, the Industry of the Magistrate, and the
'Authority of Parliament, for the suppressing of all
'tumultuary Insolencies whatsoever; and for the
'vindicating of his Honour from all insupportable
'and insolent Scandals, if any such shall be found
'to be raised upon him, as are mentioned in this
'Answer: And we therefore think it altogether
'unnecessary, and exceeding inconvenient, to ad-
'journ the Parliament to any other Place.

'Where the Desire of a good Understanding be-
'twixt the King and the Parliament is, on both
'Parts, so earnest, as is here profes's'd of his Ma-
'jesty to be in him, and we have sufficiently testi-
'fied to be in ourselves, it seems strange we should
'be so long asunder: It can be nothing but evil and
'malicious Counsel, misrepresenting our Carriage

'to

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'to him in disposing his Favours to us: And as it 'shall be far from us to take any Advantage of his 'Majesty's supposed Straits, as to desire, much less 'to compel him to that which his Honour or In-'terest may render unpleasant and grievous to 'him; so we hope that his Majesty will not make 'his own Understanding or Reason the Rule of his 'Government; but will suffer himself to be assist-'ed with a wise and prudent Council, that may 'deal faithfully betwixt him and his People: And 'that he will remember that his Resolutions do 'concern Kingdoms; and therefore ought not to 'be moulded by his own, much less by any other 'private Person, which is not alike proportionable 'to so great a Trust. And therefore we still de-'sire and hope that his Majesty will not be guid-'ed by his own Understanding, or think those 'Courses, Straits and Necessities, to which he shall 'be advised by the Wisdom of both Houses of Par-'liament which are the Eyes in this Body Politic, 'whereby his Majesty is, by the Constitution of 'this Kingdom, to discern the Difference of those 'Things which concern the Public Peace and 'Safety thereof.

'We have given his Majesty no Cause to say, '*That we do meanly value the Discharge of his pub-*'*lic Duty.* Whatsoever Acts of Grace or Justice 'have been done, they proceeded from his Majesty 'by the Advice and Counsel of his Parliament; yet 'we have and shall always answer them with 'constant Gratitude, Obedience, and Affection: 'And although many Things have been done, 'since this Parliament, of another Nature, yet we 'shall not cease to desire the continued Protection 'of Almighty God upon his Majesty; and most 'humbly petition him to cast from him all those 'evil and contrary Counsels, which have, in many 'Particulars formerly mentioned, much detracted 'from the Honour of his Government, the Hap-'piness of his own Estate, and Prosperity of his 'People.

And

'And having paſt ſo many Dangers from abroad, An. 18. Car. I.
'ſo many Conſpiracies at home, and brought on 1642.
'the Public Work ſo far, thro' the greateſt Diffi- May.
'culties that ever ſtood in Oppoſition to a Parlia-
'ment, to ſuch a Degree of Succeſs, that nothing
'ſeems to be left in our Way able to hinder the
'full Accompliſhment of our Deſires and Endea-
'vours for the Public Good; unleſs God, in his
'Juſtice, do ſend ſuch a grievous Curſe upon us,
'ſo as to turn the Strength of the Kingdom againſt
'itſelf, and to effect that by their own Folly and
'Credulity, which the Power and Subtilty of their
'and our Enemies could not attain; that is, to di-
'vide the People from the Parliament, and to make
'them ſerviceable to the Ends and Aims of thoſe
'who would deſtroy them: Therefore we deſire
'the Kingdom to take Notice of this laſt moſt deſ-
'perate and miſchievous Plot of the Malignant
'Party, that is acted and proſecuted in many Parts
'of the Kingdom, under the plauſible Notions of
'ſtirring them up to a Care of preſerving the King's
'Prerogative, maintaining the Diſcipline of the
'Church, upholding and continuing the Reverence
'and Solemnity of God's Service, and encouraging
'of Learning. Upon theſe Grounds, divers mu-
'tinous Petitions have been framed in *London*,
'*Kent*, and other Counties; ſundry of his Maje-
'ſty's Subjects have been ſolicited to declare them-
'ſelves for the King, againſt the Parliament; and
'many falſe and foul Aſperſions have been caſt
'upon our Proceedings, as if we had been not on-
'ly negligent, but averſe in theſe Points; whereas
'we deſire nothing more, than to maintain the
'Purity and Power of Religion, and to honour the
'King in all his juſt Prerogatives. And, for Encou-
'ragement and Advancement of Piety and Learn-
'ing, we have very earneſtly endeavoured, and ſtill
'do, to the utmoſt of our Power, that all Pariſhes
'may have learned, pious, and ſufficient Preachers,
'and all ſuch Preachers competent Livings.

'Many other Bills and Propoſitions are in Prepa-
'ration for the King's Profit and Honour, and the
'People's

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'People's Safety and Proſperity; in the Proceedings whereof we are much hindered by his Majeſty's Abſence from the Parliament, which is altogether contrary to the Uſe of his Predeceſſors, and the Privileges of Parliament; whereby our Time is conſumed by a Multitude of unneceſſary Meſſages, and our Innocency wounded by cauſeleſs and ſharp Invectives: Yet we doubt not but we ſhall overcome all this at laſt, if the People ſuffer not themſelves to be deluded with falſe and ſpecious Shews; and ſo drawn to betray us, to their own Undoing, who have ever been willing to hazard the Undoing of ourſelves, that they might not be betrayed by our Neglect of the Truſt repoſed in us: But if it were poſſible they ſhould prevail herein, yet we would not fail, through God's Grace, ſtill to perſiſt in our Duties, and to look beyond our own Lives, Eſtates, and Advantages; as thoſe who think nothing worth the enjoying without the Liberty, Peace, and Safety of the Kingdom; nor any Thing too good to be hazarded, in Diſcharge of our Conſciences, for the obtaining of it; and ſhall always repoſe ourſelves upon the Protection of Almighty God, which we are confident ſhall never be wanting to us, while we ſeek his Glory; as we have found it, hitherto, wonderfully going along with us in all our Proceedings.'

To ſupport the Allegations ſet forth in the foregoing Declaration, there were added a great Number of Examinations, Letters, Warrants, and Depoſitions, ſelected out of ſuch as had been laid before both Houſes, and digeſted into Order by Committees appointed for that Purpoſe.——But, as moſt of theſe have already been taken Notice of, in their proper Series, we paſs them over with a Reference. [k]

May

[k] All theſe *Inſtruments* are printed, at large, in *Huſbands's Collections*, from Page 215 to 239.

May 23. Another Letter from the Lord *Howard*, at *York*, directed to the Lord Keeper, dated the 21ſt of *May*, was read *in hæc Verba* : [1]

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My Lord, York, May 21, 1642.

A fourth Letter to the Parliament from their Committee at *York*.

BY my laſt I ſent your Lordſhip a Copy of a Warrant, from his Majeſty to the Head Conſtable, for ſummoning the Regiment, late Sir Robert Strickland's, *which being met together, their Officers have drawn them hither to this City, and billeted them here, where, by Courſe, divers were called to attend at the Court, as a Guard to his Majeſty's Perſon. We do not hear that there is any Colonel, or Lieutenant-Colonel: But one Captain* Duncomb, *who is Serjeant-Major, and one who was ſent for as a Delinquent touching the Petition for ſtaying the Magazine, is the active Man who both raiſed them, and commands in Chief.*

At their firſt coming to Town, we attended his Majeſty, but we could not prevail for the Diſbanding of them. We have deliver'd your Ordinance to the Sheriff, and required him to do his Duty. His Anſwer was, He would do it to the utmoſt of his Power; but that theſe being now without his County, he would not meddle with them; but he would take Advice what was fit for him to do. Shortly after he returned to us, and ſaid, The King had ſent for him, and inquired if he had not ſome Commands from the Parliament; he then ſhewed him the Ordinance, and, after his Majeſty had read it, he required him, on his Allegiance, not to obey any of thoſe Commands: But how the Sheriff will demean himſelf for the future, for the preventing the raiſing of any more of theſe Train'd Bands, we do not know.

This Day the Horſe were muſtered, who were ſummoned to be here Yeſterday; and not only thoſe who came on their voluntary Offers, but divers appeared upon Summons by the printed Paper, the Copy of which I ſent

[1] None of the Letters from this Committee, (except the ſecond, in Volume X. p. 518) are in the *Collections* or *Pamphlets* of the Times, or the *Commons Journals*; and we give them from thoſe of the *Lords*.

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ſent in my laſt Letter; the whole Number, as we are informed, were under two hundred. It is told us, His Majeſty will keep about fifty here for his Guard, and that the reſt ſhould be ready to attend upon Summons, but are diſmiſſed for the preſent.

On Friday *next the Freeholders, Copyholders, and all other able Farmers, are ſummoned to be here; but upon what Occaſion, or what the Event will be, we cannot tell. If nothing happen before that Time, which may occaſion us to write, I ſhall then, at the furtheſt, give your Lordſhip an Account of that Buſineſs; and, in the mean while, I reſt,*

My Lord,
Your Lordſhip's humble
and faithful Servant,
ED. HOWARD.

P. S. *The Sheriff came to us this Day, and delivered the annexed Paper as an Anſwer to thoſe Commands enjoined by the Ordinance.*

'Since the receiving of your Order, I cannot find 'there are any in this County, who are aſſembled 'together in a Poſture of War, or Diſturbers of 'the Public Peace. When any ſuch ſhall appear, 'I will be moſt ready to diſcharge the Duty of a 'faithful Subject, according as I am obliged by my 'Oath and the Law of the Land.

RICHARD HUTTON.

The next Thing we find memorable in this Day's Tranſaction, is an Order of the Lords to diſcharge the Guards, which had attended both Houſes for a long Time, until they ſhould receive further Commands; and that the Houſe of Commons ſhould be acquainted therewith.

The Lord Keeper *Littleton* deſerts the Parliament, and joins the King.

In the Afternoon of this Day the Lords were informed, That the Lord Keeper, having Leave of the Houſe to be a few Days abſent for his Health, was gone to *York*, and had parted with the Great Seal two Days before. Hereupon it was ordered, That the Gentleman-Uſher attending that Houſe,

or

or his Deputy, ſhould forthwith take into Cuſtody the Right Honourable *Edward* Lord *Littleton*, and bring him before the Lords in Parliament; and, together with him, the Great Seal, if it be in his Cuſtody. Alſo that all Sheriffs, Mayors, Conſtables, and other his Majeſty's Officers, be aiding to the Gentleman-Uſher, or his Deputies. An. 18. Car. I. 1642. May.

Some further Account of this remarkable Affair may be here very proper; becauſe the King's getting Poſſeſſion of the Great Seal was thought, by all Parties, a moſt conſiderable Advantage. The Lord Keeper *Littleton*, by having declared his Opinion in Favour of the Ordinance for the Militia; by refuſing to demand of the Earls of *Eſſex* and *Holland* the Reſignation of their Offices of Chamberlain of the Houſhold and Groom of the Stole, as before-mentioned [m]; and by complying with the prevailing Party in Oppoſition to the King, had highly diſguſted his Majeſty; inſomuch that his Leaving the Parliament was by them abſolutely unexpected.

Lord *Clarendon* has given us a very particular Narrative of the Manner, by which this Affair was conducted; and which is the more to be regarded, becauſe he was the very Perſon entruſted by the King to bring it about. The Whole is too long for our Purpoſe, we ſhall therefore content ourſelves with ſome of the moſt remarkable Circumſtances, and refer to his Lordſhip's Hiſtory for the reſt [n].

'At an Interview of the Lord Keeper and Mr. *Hyde*, (between whom there had been frequent Viſits) the latter, with great Freedom and Plainneſs, told his Lordſhip, 'How much he had loſt the 'Eſteem of all good Men, and that the King could 'not but be exceedingly diſſatisfied with him;' and diſcourſed over the Matter of his Vote upon the Ordinance for the Militia. As ſoon as Mr. *Hyde* had entered upon this Diſcourſe, which he heard with

[m] In our Tenth Volume, p. 214, and p. 429.
[n] *Hiſt. of the Rebellion*, Vol. III. *Octavo Ed.* p. 568.

An. 18. Car. I. 1642. May. with all Attention, they being by themſelves in his Study at *Exeter-Houſe*, he roſe from his Chair and went to the Door; and finding ſome Perſons in the next Room, he bad them to withdraw; and, locking both the Door of that Room and of his Study, he ſat down himſelf, and making Mr. *Hyde* ſit down too, he began 'With giving him many Thanks for 'his Friendſhip to him, which, he ſaid, he had 'ever eſteemed; and he could not more manifeſt 'the Eſteem he had of it and him, than by uſing 'that Freedom again with him which he meant to 'do. Then he lamented his own Condition; and 'that he had been preferred from the Common-'Pleas, where he knew both the Buſineſs and the 'Perſons he had to deal with, to the other high 'Office he now held; which obliged him to con-'verſe and tranſact with another Sort of Men, who 'were not known to him, and in Affairs which he 'underſtood not, and had not one Friend among 'them with whom he could confer upon any 'Doubt which occurred to him.'

'He ſpoke then of the unhappy State and Condition of the King's Buſineſs; how much he had been, and was ſtill, betrayed by Perſons who were about him; and with all poſſible Indignation againſt the Proceedings of the Parliament; and ſaid, 'They 'would never do this, if they were not reſolved to 'do more: That he knew the King too well, and 'obſerved the Carriage of particular Men too much, 'and the whole Current of public Tranſactions, 'theſe laſt five or ſix Months, not to foreſee that it 'could not be long before there would be a War 'between the King and the two Houſes; and of 'the Importance, in that Seaſon, that the Great 'Seal ſhould be with the King.' Then he fell into many Expreſſions of his Duty and Affection to the King's Perſon, as well as to his high Degree; and, 'That no Man ſhould be more ready to periſh with, 'and for, his Majeſty, than he would be: That the 'Proſpect he had of this Neceſſity had made him car-'ry himſelf towards that Party with ſo much Com-'pliance, that he might be gracious with them, at 'leaſt

'least that they might have no Diſtruſt of him, An. 18. Car. I. 1642. May.
'which he knew many had endeavoured to infuſe
'into them; and that there had been a Conſulta-
'tion, within few Days, whether, in regard that
'he might be ſent for by the King, or that the
'Seal might be taken from him, it would not be
'beſt to appoint the Seal to be kept in ſome ſuch
'ſecure Place, as that there might be no Danger
'of loſing it; and that the Keeper ſhould always re-
'ceive it for the Execution of his Office, they ha-
'ving no Purpoſe to diſoblige him. And the
'Knowledge he had of this Conſultation, and Fear
'he had of the Execution of it, had been the Rea-
'ſon why, in the late Debate upon the Militia,
'he had given his Vote in ſuch a Manner as he
'knew would make very ill Impreſſions with the
'King, and many others who did not know him
'very well; but that, if he had not in that Point
'ſubmitted to their Opinion, the Seal had been ta-
'ken from him that Night; whereas, by his Com-
'pliance in that Vote, which could only prejudice
'himſelf, and not the King, he had gotten ſo
'much into their Confidence, that he ſhould be
'able to preſerve the Seal in his own Hands till
'the King required it, and then he would be as
'ready to attend his Majeſty with it.'

'Mr. *Hyde* was very well pleaſed with this Diſ-
courſe, and aſked him, 'Whether he would give
'him Leave, when there ſhould be a fit Occaſion,
'to aſſure the King, that he would perform this
'Service when the King ſhould require it?' He de-
ſired 'That he would do ſo, and paſs his Word for
'the Performance of it, as ſoon as his Majeſty
'pleaſed;' and ſo they parted.—The King, being informed of what had paſſed at this Interview, was at firſt very unwilling to rely upon the Lord-Keeper's Promiſes, but being at length ſatisfied of his good Intentions towards him, reſolved, 'That he
'would, ſuch a Day of the Week following, ſend
'for the Keeper and the Seal;' and that it ſhould be, as had been adviſed, upon a *Saturday* Afternoon, as ſoon as the Houſe of Lords ſhould riſe, becauſe

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then no Notice could be taken of it till *Monday*. Mr. *Hyde*, who had continued to see the Keeper frequently, and was confirmed in his Confidence of his Integrity, went now to him; and finding him firm to his Resolution, and of Opinion, in Regard of the high Proceedings of the Houses, that it should not be long deferred; he told him, 'That 'he might expect a Messenger the next Week, 'and that he should once more see him, when he 'would tell him the Day; and that he would then 'go himself away before him to *York*.'

'Accordingly on the *Saturday* following, between Two and Three of the Clock in the Afternoon, Mr. *Elliot*, a Groom of the Bedchamber to the Prince, came to the Keeper, and found him alone in the Room where he used to sit; and delivered him a Letter from the King, in his own Hand, wherein he required him, with many Expressions of Kindness and Esteem, 'to make Haste to him; 'and if his Indisposition, (for he was often troubled 'with Gravel and Sharpness of Urine) would not 'suffer him to make such Haste upon the Journey 'as the Occasion required, that he should deliver 'the Seal to the Person who gave him the Letter; 'who, being a strong young Man, would make 'such Haste as was necessary; and that he might 'make his own Journey by those Degrees which 'his Health required.' The Keeper was surprized with the Messenger, whom he did not like; and more when he found that he knew the Contents of the Letter, which he hoped would not have been communicated to any Man who should be sent. He answered him with much Reservation; and when the other, with Bluntness, (as he was no polite Man) demanded the Seal of him, which he had not thought of putting out of his own Hands, he answered him, 'That he would not deliver it into 'any Hands but the King's;' but presently recollecting himself, and looking over his Letter again, he quickly considered, that it would be hazardous to carry the Seal himself such a Journey; and that if by any Pursuit of him, which he could not but

suspect

suspect, he should be seized upon, the King would be very unhappily disappointed of the Seal, which he had Reason so much to depend upon; and that his Misfortune would be wholly imputed to his own Fault and Infidelity; (which, without Doubt, he abhorred with his Heart) and the only Way to prevent that Mischief, or to appear innocent under it, was to deliver the Seal to the Person trusted by the King himself to receive it; and so, without telling him any Thing of his own Purpose, he delivered the Seal into his Hands; who forthwith put himself on his Horse, and, with wonderful Expedition, presented the Great Seal into his Majesty's own Hands, who was infinitely pleased both with it and the Messenger. [o]

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'The Keeper, that Evening, pretended to be indisposed, and that he would take his Rest early, and, therefore ordered that Nobody should be admitted to speak with him; he then called Serjeant *Lee* to him, who was the Serjeant that waited upon the Seal, and in whom he had great Confidence, and told him freely, 'That he was resolved, the next Morning, 'to go to the King, who had sent for him; that 'he knew well how much Malice he should con'tract by it from the Parliament, which would use 'all the Means they could to apprehend him; and 'he himself knew not how he should perform the 'Journey; therefore he put himself intirely into his 'Hands; that he should cause his Horses to be rea'dy against the next Morning, and only his own

[o] Mr. *Rushworth* adds this remarkable Circumstance relating to the carrying off the Great Seal:— 'In Mr. *Elliot*'s Passage towards *York*, the Author of the *Collections* met him at *Witham*, a Post Stage between *Grantham* and *Stamford*, who, with a Fall off his Horse, had hurt his Shoulder; and seeing the Author, his old Acquaintance, demanded, *What News?* (thinking he had been sent after him by the Parliament to recover the Great Seal) To which he replied to Mr. *Elliot*, (not imagining he had then with him the Great Seal) *That he came from* York; *that the King was well*; *and that he was going with Letters from the Committee of Parliament at* York, *to both Houses, wherein some Answers from the King were inclosed to the Parliament.* To which Mr. *Elliot* replied, *It was fit the Author should make Haste*; *and therefore*, said he, *take my Horses which are ready saddled*, fearing lest the Author should raise the Country against him; so we parted at that Time.'

Rushworth, Vol. IV. p. 718.

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'Groom to attend them; and he to guide the beſt 'Way; and that he would not impart it to any 'other Perſon.' The honeſt Serjeant was very glad of the Reſolution, and chearfully undertook all Things for the Journey; and ſo ſending the Horſes out of Town, the Keeper put himſelf in his Coach very early the next Morning; and as ſoon as they were out of the Town, he and the Serjeant, and one Groom, took their Horſes, and made ſo great a Journey that Day, it being about the Beginning of *June*, [p] that, before the End of the third Day, he kiſs'd the King's Hand at *York*.

'He had purpoſely procured the Houſe of Peers to be adjourned to a later Hour, in the Morning, for *Monday*, than it uſed to be. *Sunday* paſſed without any Man's taking Notice of the Keeper's being abſent; and many, who knew he was not at his Houſe, thought he had been gone to *Cranford*, to his Country Houſe, whither he frequently went on *Saturday* Nights, and was early enough at the Parliament on *Monday* Mornings; and ſo the Lords the more willingly conſented to the later Adjournments for thoſe Days.'

The Lords appoint a Committee to conſider of an Accommodation with the King.

The Lord Keeper's unexpected Conduct occaſioned, as Lord *Clarendon* adds, 'ſo great a Dejection 'in the Houſe of Lords, that, upon the News thereof, the Earl of *Northumberland*, who had been of another Temper, moved, That a Committee might be appointed, to conſider how there might be an Accommodation between the King and his People, for the Good, Happineſs, and Safety of both King and Kingdom.' A Committee was appointed accordingly; and, upon that Occaſion, the Earl of *Briſtol* made the following Speech: [q]

The Earl of *Briſtol*'s Speech thereupon.

My Lords,

'I Have ſpoken ſo often upon the Subject of Accommodation, with ſo little Acceptance, and with ſo ill Succeſs, that it was in my Intention not 'to

[p] By the *Lords Journals* it muſt have been the 22d of *May*.
[q] From the original Edition, printed by *I. Smith* and *A. Coe*.

to have made any further Eſſay in this Kind; but my Zeal to the Peace and Happineſs of this Kingdom, and my Apprehenſions of the near Approach of unſpeakable Miſeries and Calamities, ſuffer me not to be Maſter of mine own Reſolution. An. 18. Car. I. 1642. May.

'Certainly this Kingdom hath, at all Times, many Advantages over the other Monarchies of *Europe*; as, of Situation, of Plenty, of rich Commodities; of Power both by Sea and Land: But more particularly at this Time, when all our neighbouring States are, by their ſeveral Intereſts, ſo involved in War, and with ſuch Equality of Power, that there is not much Likelihood of their maſtering one another, nor of having their Differences eaſily compounded; and thereby, we alone being admitted to trade to all Places, Wealth and Plenty, which ever follow where Trade flouriſheth, are in a Manner caſt upon us.

'I ſhall not trouble your Lordſhips by putting you in Mind of the great and noble Undertakings of our Anceſtors; nor ſhall I paſs higher than the Times within mine own Remembrance.

'Queen *Elizabeth* was a Princeſs diſadvantaged by her Sex, by her Age, and chiefly by her Want of Iſſue; yet if we ſhall conſider the great Effects wrought upon moſt of the States of *Chriſtendom* by this Nation, under her prudent Government (the Growth of the Monarchy of *Spain* chiefly by her impeached; the *United Provinces* by her protected; the *French* in their greateſt Miſeries relieved; moſt of the Princes of *Germany* kept in high Reſpect and Reverence towards her and this Kingdom; and the Peace and Tranquility wherein this Kingdom flouriſhed, and which hath been continued down unto us by the peaceable Government of King *James*, of bleſſed Memory, and of his now Majeſty, untill theſe late unhappy Interruptions) we cannot but judge this Nation equally capable, with any other, of Honour, Happineſs, and Plenty.

'Now if, inſtead of this happy Condition, in which we have been, and might be, upon a ſober and impartial Inquiry we ſhall find ourſelves to

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have been, for some few Years last past, involved in so many Troubles and Distractions, and at the present to be reduced to the very Brink of Miseries and Calamities; it is high Time for us to consider by what Means we have been brought into them, and by what Means it is most probable we may be brought out of them.

'This Kingdom never enjoyed so universal a Peace, neither hath it any visible Enemy in the whole World, either Infidel or Christian; our Enemies are only of our own House, such as our own Dissentions, Jealousies, and Distractions have raised up: And certainly where they are found, especially betwixt a King and his People, no other Cause of the Unhappiness and Misery of a State need to be sought after; for Civil Discord is a plentiful Source, from whence all Miseries and Mischiefs flow.

'The Scripture telleth us of the Strength of a little City united, and of the Instability of a Kingdom divided within itself: So that, upon a prudent Enquiry, we may assign our own Jealousies and Discords for the chief Cause of our past and present Troubles, and of our future Fears.

'It must be confess'd, that by the Counsel and Conduct of evil Ministers, the Subjects had Cause to think their just Liberties invaded; and from thence have our former Distempers grown: For it is in the Body Politic of a Monarchy, as in the Natural Body, the Health whereof is defined to be, *Partium Corporis æqua Temperies*, an equal Temper of the Parts: So likewise a State is well in Health and well disposed, when Sovereign Power and common Right are equally ballanced, and kept in even Temper, by just and equitable Rules.

'And truly, my Lords, by the Goodness of his Majesty, and by the prudent Endeavour of the Parliament, this State is almost reduced to that equal and even Temper; and our Sickness is rather continued out of Fancy and Conceit, (I mean Fears and Jealousies) than out of any real Distempers.

'I well remember, that, before the Beginning of this Parliament, some Noble Lords presented a Pe-

'tition

tition unto the King; and in that Petition did set down all or most of the Grievances and Distempers of the Kingdom which then occurred to them. To these, as I conceive, the Parliament have procured, from his Majesty, such Redresses as are to their good Satisfaction. [r] An. 18. Car. I. 1642. May.

'Many other Things for the Ease, Security, and Comfort of the Subject, have been, by their great Industry, found and propounded; and, by his Majesty's Goodness, condescended unto. And now we are come so near the Happiness of being the most free and most settled Nation in the Christian World, our Dangers and Miseries will grow, every Day, greater and nearer, if not speedily prevented.

'The King, on his Part, offereth to concur with us in the settling all the Liberties and Immunities, either for the Property of our Goods or Liberty of our Persons, which we have received from our Ancestors, or which himself hath granted unto us; and as to what shall yet remain for the Good and Comfort of his Subjects, he is willing to hearken to all our just and reasonable Propositions; and for the establishing the true Protestant Religion, he wooes us to it; and the Wisdom and Industry of the Parliament, hath now put it in a hopeful Way.

'The Rule of his Government, he professeth, shall be the Laws of the Kingdom; and, for the comforting and securing of us, he offereth a much more large and more general Pardon than hath been granted by any of his Predecessors. And truly, my Lords, this is all that ever was, or can be, pretended unto by us.

'We, on the other Side, make Profession, That we intend to make his Majesty a glorious King; to endeavour to support his Dignity; and to pay unto him that Duty and Obedience, which, by our Allegiance, several Oaths, and late Protestation, we owe unto him, and to maintain all his just Regalities

[r] Alluding to the Petition, (in our Eighth Volume) presented by the Earls of *Bedford*, *Essex*, &c. for summoning of a Parliament.

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ties and Prerogatives; which I conceive to be as much as his Majesty will expect from us.

'So that, my Lords, we being both, thus reciprocally, agreed of that which in general would make both King and People happy, shall be most unfortunate, if we shall not bring both Inclinations and Endeavours so to propound and settle Particulars, as both King and People may know what will give them mutual Satisfaction; which certainly must be the first Step towards the settling of a right Understanding betwixt them. And in this I should not conceive any great Difficulty, if it were once put into a Way of Preparation. But the greatest Difficulty may seem to be, How that which may be settled and agreed upon may be secured. This is commonly the last Point in Treaties betwixt Princes, and of the greatest Niceness; but much more betwixt a King and his Subjects, where that Confidence and Belief which should be betwixt them is once lost: And, to speak clearly, I fear that this may be our Case, and herein may consist the chiefest Difficulty of Accommodation; for it is much easier to compose Differences arising from Reason, yea, even from Wrongs, than it is to satisfy Jealousies; which, arising out of Diffidence and Distrust, grow and are varied upon every Occasion.

'But, my Lords, if there be no Endeavours to allay and remove them, they will every Day increase and gather Strength; nay, they are already grown to that Height, and the mutual Replies to those direct Terms of Opposition, that if we make not a present Stop, it is to be feared it will speedily pass further than verbal Contestations.

'I observe, in some of his Majesty's Answers, a *Civil War* spoken of: I confess it is a Word of Horror to me, who have been an Eye-Witness of those inexpressible Calamities that, in a short Time, the most plentiful and flourishing Countries of *Europe* have been brought into by an intestine War.

'I further observe, 'That his Majesty protesteth against the Miseries that may ensue by a War, and that he is clear of them.' It is true that a Protesta-

tion

tion of that Kind is no actual denouncing of War, but it is the very next Degree to it; *ultima Admonitio*, as the Civilians term it, the laſt Admonition: So that we are upon the very Brink of our Miſeries. It is better keeping out of them than getting out of them; and, in a State, the Wiſdom of Prevention is infinitely beyond the Wiſdom of Remedies. If, for the Sins of this Nation, theſe Miſunderſtandings ſhould produce the leaſt Act of Hoſtility, it is not almoſt to be believed how impoſſible it were to put any Stay to our Miſeries: For a Civil War admits of none of thoſe Conditions of Quarter, by which Cruelty and Blood are, amongſt other Enemies, kept from Extremities: Nay, if it ſhould but ſo happen, which God of his Goodneſs avert, that, mutually, Forces and Armies ſhould be raiſed, Jealouſies and Fears would be ſo much increaſed thereby, that any Accommodation would be rendered full of Difficulty and Length; and the very Charge of maintaining them (whilſt firſt a Ceſſation of Arms, and then a general Accommodation were in treating) would conſume the Wealth of the Kingdom.

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'And of this we had lately a coſtly Example: For in thoſe unhappy Times, betwixt us and *Scotland*, after there was a Stop made to any further Acts of Hoſtility, and a Deſire of Peace expreſſed on both Sides; Commiſſioners nominated, and all the Articles propounded; yet the keeping of the Armies together for our ſeveral Securities, whilſt the Ceſſation at *Rippon* and the Peace at *London* were in treating, coſt this Kingdom not much leſs than a Million of Pounds. And if two Armies be once on Foot here in *England*, either a ſudden Encounter muſt deſtroy one of them, or the keeping of them both on Foot muſt deſtroy the Kingdom.

'I hope, therefore, we ſhall make it our Endeavour, by Moderation and Calmneſs, yet to put a Stay to our ſo near approaching Miſeries; and that we ſhall hearken to the wiſe Advice of our Brethren of *Scotland*, in their late Anſwer to the King and Parliament; [s] wherein they earneſtly intreat us, 'That all

[s] In our Tenth Volume.

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'all Means may be forborne which may make the 'Breach wider, and the Wound deeper; and that no 'Place be given to the evil Spirit of Diviſion, which 'at ſuch Times worketh inceſſantly, and reſteth not; 'but that the faireſt, the moſt Chriſtian, and com- 'pendious Way may be taken by ſo wiſe a King 'and Parliament, as may, againſt all Malice and 'Oppoſition, make his Majeſty and Poſterity more 'glorious, and his Kingdoms more happy than ever.' And, in another Place, they ſay, 'That ſince this 'Parliament hath thought meet to draw the Prac- 'tice of the Parliament of *Scotland* into Example, in 'the Point of their Declaration, they are confident 'that the Affection of this Parliament will lead them, 'alſo, to the Practice of that Kingdom in compo- 'ſing the unhappy Differences betwixt his Majeſty 'and them; and (ſo far as may conſiſt with their 'Religion, Liberties, and Laws) in giving his Ma- 'jeſty all Satisfaction, eſpecially in their tender Care 'of his Royal Perſon, of his Princely Greatneſs 'and Authority, and the Proſperity of the Kingdom.

'Certainly, my Lords, this is wiſe and brotherly Advice, and I doubt not but we are all deſirous to follow it. We muſt not then ſtill dwell upon Generals, for Generals produce nothing; but we muſt put this Buſineſs into a certain Way, whereby Particulars may be deſcended unto; and the Way that I ſhall offer, with all Humility, is, That there may be a ſelect Committee of choice Perſons of both Houſes, who may, in the *firſt* Place, truly ſtate and ſet down all Things in Difference betwixt the King and the Subject, with the moſt probable Ways of reconciling them. *Secondly*, To deſcend unto the Particulars which may be expected by each from other, either in Point of our ſupporting of him, or his relieving of us. And, *laſtly*, How all theſe Conditions, being agreed upon, may be ſo ſecured as may ſtand with the Honour of his Majeſty and the Satisfaction of the Subject.

'When ſuch a Committee ſhall have drawn up the Heads of the Propoſitions, and the Way of ſe- curing them, they may be preſented unto the Houſes; and

and so offered unto his Majesty, by such a Way as the Parliament shall judge most probable to produce an Accommodation. An. 18 Car. I. 1642. May.

'My Lords, what I have yet said unto you, hath been chiefly grounded upon the Apprehensions and Fears of our future Dangers. I shall say something of the Unhappiness of our present State, which certainly standeth in as much Need of Relief and Remedy, as our Fears do of Prevention; for altho' the King and People were fully united, and that all Men who now draw several Ways, should unanimously set their Hand to the Work, yet they would find it no easy Task to restore this Kingdom to a prosperous and comfortable Condition: If we take into our Consideration the deplorable State of *Ireland*, likely to drain this Kingdom of Men and Treasure; if we consider the Debts and Necessity of the Crown, the Engagements of the Kingdom, and the great and unusual Contributions of the People; which last, altho' they may not be so much to their Discontent, for that they have been legally raised, yet the Burden hath not been much eased. Let us likewise consider the Distractions (I may almost call them Confusions) in point of Religion; which, of all other Distempers, are the most dangerous and destructive to the Peace of a State.

'Beside these public Calamities, let every particular Man consider the distracted and uncomfortable State of his own Condition; for mine own Part, I must ingenuously profess unto your Lordships, That I cannot find out, under the different Commands of the King and the Parliament, any such Course of Caution and Wariness, by which I can promise to myself Security or Safety. I could give your Lordships many Instances of the Inconsistency and Impossibility of obeying these Commands; but I shall trouble you only with one or two.

'The Ordinance of Parliament, now in so great Agitation, commandeth all Persons in Authority to put it in Execution, and all others to obey it according to the Fundamental Laws of the Land: The King declareth it to be contrary to the Fundamental

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mental Laws, againſt the Liberty of the Subject and Rights of Parliament; and commandeth all his Subjects, of what Degree ſoever, upon their Allegiance, not to obey the ſaid Ordinance, as they will anſwer the contrary at their Perils.

'So likewiſe, in point of the King's commanding the Attendance of divers of us upon his Perſon, whereunto we are obliged by ſeveral Relations of our Services and Oaths: In caſe we comply not with his Commands, we are liable to his Diſpleaſure, and the Loſs of thoſe Places of Honour and Truſt which we hold under him: If we obey his Commands without the Leave of the Parliament, which hath not been always granted, we are liable to the Cenſure of Parliament: And of both theſe we want not freſh Examples; ſo that, certainly, this cannot but be acknowledged to be an unhappy and uncomfortable Condition.

'I am ſure I bring with me a ready and obedient Heart, to pay unto the King all thoſe Duties of Loyalty, Allegiance, and Obedience, which I owe unto him: And I ſhall never be wanting towards the Parliament, to pay unto it all thoſe due Rights and that Obedience which we all owe unto it; but, in contrary Commands, a Conformity of Obedience to both is hardly to be lighted on. The Reconciliation muſt be in the Commanders and the Commands, and not in the Obedience or the Perſon that is to obey: And therefore, untill it ſhall pleaſe God to bleſs us with a right Underſtanding betwixt the King and Parliament, and a Conformity in their Commands, neither the Kingdom in public, nor particular Men in private, can be reduced to a ſafe or comfortable Condition.

'I have ſaid thus much to give Occaſion to others to offer likewiſe their Opinions; for if we ſhall ſit ſtill, and nothing tending to the Stay of the unhappy Miſunderſtanding betwixt the King and his People be propounded, it is to be feared that our Miſeries will haſten ſo faſt upon us, that the Seaſon and Opportunity of applying Remedies may be paſt.

'I

'I have herein discharged my Conscience suitable to that Duty which I owe to the King my Sovereign and Master, and suitable to that Zeal and Affection which I shall ever pay to the Happiness and Prosperity of the Kingdom; towards which I shall ever faithfully contribute my humble Prayers and honest Endeavours; and I shall no way doubt, whatsoever Success this my Proposition may have, it will be accompanied with the good Wishes of your Lordships, and of all peaceable and well-minded Men.' An. 18. Car. I. 1642. May.

Notwithstanding this most excellent Speech for an Accommodation, we find no Report, entered in the *Lords Journals*, from the before-mentioned Committee; which may easily be accounted for, since Matters were now too far advanced to hope for any between the King and Parliament: It being evident that both Sides, whilst they entertained each other with Messages for Peace, which always abounded with Reflections that whetted their Appetite for War, provided for that Storm which they foresaw could not be prevented. Accordingly,

May 24. The Commons sent up an Ordinance, to which they desired the Lords Concurrence, for giving Power to their Committee at *York* to command the Lord Mayor and Sheriffs of that City, and all Sorts of Head Constables and Petty Constables under them, to take all Orders, Votes, and Declarations of Parliament from the Committee, and see them circulated through their several Districts. Likewise, That the said Lord Mayor, *&c.* should publish in all Market-Towns, That the Train'd Bands ought not to rise, or be called together, by any personal Command of the King; but that, as Affairs then stood, such Commands were against Law, tending to the great Disturbance and Danger of the Kingdom: Declaring an Amnesty to such as should not obey, and Punishment to those that did, *&c.* Which Ordinance was agreed to by the Lords. Order of both Houses for dispersing their Votes, &c. And against the King's raising the Train'd Bands.

At

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At the ſame Time Sir *William Strickland*, Mr. *Alured*, Mr. *Wharton*, Sir *William Airmyn*, Mr. *John Hotham*, Mr. *Henry Darley*, and Mr. *Peregrine Pelham*, all Members of the Houſe of Commons, were appointed Commiſſioners to go down to *Hull*; to be Aſſiſtants to the Governor thereof, upon ſuch Orders and Directions as they ſhould receive from both Houſes. And Sir *Edward Ayſcough*, Sir *John Wray*, Sir *William Airmyn*, Mr. *Hatcher*, and Mr. *Broxholme*, were ſent into *Lincolnſhire*, to preſerve the Peace of that County.

The Commons appoint Commiſſioners to aſſiſt Sir *John Hotham* at *Hull*,

For ſeveral Days laſt paſt the Commons had been buſy in raiſing Money, and this Day a Committee of their Houſe was appointed, on their Vote, *That the King, ſeduced by evil Counſel, did intend to levy War upon his Parliament*, to conſider how a Stock of Money, or any other Means, may be provided for the better Defence of his Majeſty's Perſon, the Parliament, and the Public Peace of the Kingdom, againſt any ſuch Force.—This extraordinary Diligence of the Parliament ſeems to have been owing to the frequent Deſertions from that Body. For

And conſider of Ways to raiſe Money.

Lord *Clarendon* informs us, That the Number of Members of both Houſes, that reſorted to the King at *York* about this Time, increaſed daily; and particularly thoſe of the Lords: That his Majeſty called all the Peers to Council, communicating to them all ſuch Declarations as he thought fit to publiſh in Anſwer to thoſe of the Parliament; and all Meſſages, and whatever elſe was neceſſary to be done for the Improvement of his Condition: And, having now the Great Seal with him, iſſued ſuch Proclamations as were ſeaſonable for the Preſervation of the Peace: And firſt he publiſhed the following Anſwer to the Parliament's Declaration of the 19th of this Month.

The King's Anſwer to the Parliament's Declaration of the 19th of *May*.

'IF we could be weary of taking any Pains for the Satisfaction of our People, and to undeceive them of thoſe ſpecious miſchievous Inſuſions, which are daily inſtilled into them, to ſhake and corrupt their Loyalty and Affection to us and

our

'our Government; after so full and ample Declaration of ourself and our Intentions, and so fair and satisfactory Answers to all such Matters as have been objected to us, by a major Part present of both Houses of Parliament, we might well give over this Labour of our Pen; and sit still till it shall please God so to enlighten the Affections and Understandings of our good Subjects on our Behalf, (which we doubt not but that, in his good Time, he will do) that they may see our Sufferings are their Sufferings: But since (instead of applying themselves to the Method proposed by us, *of making such solid particular Propositions as might establish a good Understanding between us, or of following the Advice of our Council of* Scotland, (with whom they communicate their Affairs) *in forbearing all Means that may make the Breach wider and Wound deeper)* they have chosen to pursue us with new Reproaches, or rather to continue and improve the old, by adding and varying little Circumstances and Language, in Matters formerly urged by them, and fully answer'd by us, we prevailed with ourself, upon very mature and particular Consideration of it, to answer the late printed Book, intitled, *A Declaration, or Remonstrance, of the Lords and Commons*, which was ordered, the 19th of this Instant *May*, to be printed and published, hoping then that they would not put us to any more of this Trouble; but that this would have been the last of such a Nature they would have communicated to our People; and that they would not, as they have done since, thought fit to assault us with a newer Declaration[t], indeed of a very new Nature and Learning, which must have another Answer. And we doubt not but that our good Subjects, in a short Time, will be so well instructed in the Differences and Mistakings between us, that they will plainly discern, without

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[t] The Parliament's Declaration of the 26th of *May* was printed and published before the King's Answer came out to that of the 19th: But we chuse to bring in his Majesty's Answer to their first Declaration before we meddle with their second, as giving a closer View of the Controversy.

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'without resigning their Reason and Understanding 'to our Prerogative, or the Infallibility of a now 'major Part of both Houses of Parliament, infected 'by a few malignant Spirits, where the Fault is.

'Though we shall, with Humility and Alacrity, 'be always forward to acknowledge the infinite 'Mercy and Providence of Almighty God, vouch-'safed so many several Ways to ourself and this 'Nation; yet since God himself doth not allow 'that we should fancy and create Dangers to our-'self, that we might manifest and publish his 'Mercy in our Deliverance, we must profess we do 'not know those Deliverances, mentioned in the 'Beginning of that Declaration, *From so many 'wicked Plots and Designs, since the Beginning of 'this Parliament*; *which, if they had taken Effect, 'would have brought Ruin and Destruction upon this 'Kingdom.* We well know the great Labour and 'Skill that hath been used, to amaze and affright 'our good Subjects with Fears and Apprehensions 'of Plots and Conspiracies; the several Pamphlets 'published, and Letters scattered up and down, 'full of such ridiculous contemptible Animadver-'sions to that Purpose; as though they found, for 'what End God knows, very unusual Countenance, 'no sober Man would be moved with them: But 'we must confess we have never been able to in-'form ourself of any such *pernicious form'd Design 'against the Peace of this Kingdom, since the Be-'ginning of this Parliament*, as is mentioned in that 'Declaration, or that might be any Warrant to 'those great Fears both our Houses of Parliament 'seemed to be transported with; but we have great 'Cause to believe more Mischief and Danger hath 'been raised and begotten to the Disturbance of 'this Kingdom, than cured or prevented by those 'Fears and Jealousies: And therefore, however 'the Rumour and Discourse of Plots and Conspi-'racies may have been necessary to the Designs of 'particular Men, they shall do well not to pay any 'false Devotions to Almighty God, who discerns 'whether our Dangers are real or pretended.

'For

'For the *bringing up the Army to* London; as we An 18. Car. I.
'have heretofore, by no other Direction than the 1642.
'Teſtimony of a good Conſcience, called God to May.
'witneſs, *We never had, or knew of any ſuch Reſo-*
'*lution*; ſo, upon the View of the Depoſitions now
'publiſhed with that Declaration, it is not evident
'to us there was ever ſuch a Deſign, unleſs every
'looſe Diſcourſe or Argument be Inſtance enough
'of ſuch a Deſign; and it is apparent, that what
'was ſaid of it, was near three Months before the
'Diſcovery to both Houſes of Parliament; ſo that
'if there were any Danger threatened that Way,
'it vaniſhed, without any Reſiſtance or Prevention
'by the Wiſdom, Power, or Authority of them.

'It ſeems the Intention of that Declaration,
'whatſoever other End it hath, is to anſwer a De-
'claration they received from us, in Anſwer to that
'which was preſented to us at *Newmarket* the
'ninth of *March* laſt, and likewiſe to our Anſwer
'to the Petition of both Houſes, preſented to us at
'*York*, the 26th of *March* laſt. But before that
'Declaration falls upon any Particulars of our ſaid
'Declaration or Anſwer, it complains, *That the*
'*Heads of the Malignant Party have, with much*
'*Art and Induſtry, adviſed us to ſuffer divers unjuſt*
'*Scandals and Imputations upon the Parliament, to*
'*be publiſhed in our Name, whereby they might make*
'*it odious to the People, and, by their Help, deſtroy*
'*it:* But not inſtancing in any one Scandal or Im-
'putation ſo publiſhed by us, we are ſtill to ſeek
'for the Heads of that Malignant Party. But our
'good Subjects will eaſily underſtand, That if we
'were guilty of that Aſperſion, we muſt not only
'be active in raiſing the Scandal, but paſſive in the
'Miſchief begotten by that Scandal, we being an
'Eſſential Part of the Parliament: And we hope the
'juſt Defence of ourſelf and our Authority, and the
'neceſſary Vindication of our Innocence and Juſ-
'tice, from the Imputation laid on us by a major
'Part, then preſent of either, or both Houſes, ſhall
'no more be called a *Scandal upon the Parliament*,
'than the Opinion of ſuch a Part be reputed *an*

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'*Act of Parliament.* And we hope our good Subjects will not be long misled by that common Expression in all the Declarations, wherein they usurp the Word *Parliament*, and apply it to countenance any Resolution or Vote, which some few have a mind to make, by calling it, *The Resolution of Parliament*; which can never be without our Consent: Neither can the Vote of either, or both Houses, make a greater Alteration in the Laws of this Kingdom, so solemnly made by the Advice of their Predecessors, with the Concurrence of us and our Ancestors, either by commanding or inhibiting any thing, besides the known Rule of the Law, than our single Direction or Mandate can do, to which we do not ascribe such Authority.

'But that Declaration informs our People, *That the Malignant Party hath drawn us into the* Northern *Parts far from our Parliament.* It might more truly and properly have said, That it hath driven, than drawn, us hither. For we confess our Journey hither (for which we have no other Reason to be sorry, than with Reference to the Cause of it) was only forced upon us by the true Malignant Party, which contrived and countenanced those barbarous Tumults and other seditious Circumstances, of which we have so often complained, and hereafter shall say more; and which indeed threatens so much Danger to our Person, and laid so much Scandal upon the whole Privilege and Dignity of Parliament, that we wonder it can be mentioned without Blushes or Indignation: But of that anon. But why the Malignant Party should be charged with causing a Press to be transported to *York*, we cannot imagine; neither have any Papers or Writings issued from thence, to our Knowledge, but what have been extorted from us by such Provocations, as have not been before offered to a King. And no doubt it will appear a most trivial and fond Exception, when all Presses are open to vent whatsoever they think fit to say to the People, (a Thing unwarranted by former Custom) that we should not make Use of all

'all lawful Means to publiſh our juſt and neceſſary Anſwers thereunto. As for the Authority of the Great Seal, though we do not know that it hath been neceſſary to Things of this Nature, the ſame ſhall be more frequently uſed hereafter, as Occaſion ſhall require; to which we make no Doubt the greater and better Part of our Privy Council will concur, and whoſe Advice we are reſolved to follow, as far as ſhall be agreeable to the Good and Welfare of the Kingdom. An. 18. Car. I. 1642. May.

'Before that Declaration vouchſafes to inſiſt on 'any Particulars, it is pleaſed to cenſure both our 'Declaration and Anſwer, to be *filled with harſh 'Cenſures and cauſeleſs Charges upon the Parliament*, '(ſtill miſapplying the Word *Parliament* to the 'Vote of both Houſes) *concerning which they reſolve 'to give Satisfaction to the* Kingdom, *ſince they find 'it very difficult to ſatisfy us*. If, as in the Uſage of 'the Word *Parliament*, they have left us out of 'their Thoughts; ſo, by the Word *Kingdom*, they 'intend to exclude all our People who are out of 'their Walls, (for that's grown another Phraſe of 'the Times, the *Vote* of the major Part of both 'Houſes, and ſometimes of one, is now called, '*The Reſolution of the whole Kingdom)* we believe 'it may not be hard to give Satisfaction to them-'ſelves; otherwiſe we are confident (and our Con-'fidence proceeds from the Uprightneſs of our own 'Conſcience) they will never be able ſo to ſever 'the Affections of us and our Kingdom, that what 'cannot be Satisfaction to the one, ſhall be to the 'other. Neither will the Style of *Humble* and '*Faithful*, and telling us, *That they will make us a 'Great and Glorious King*, in their Petitions and Re-'monſtrances, ſo deceive our good Subjects, that 'they will paſs over the Reproaches, Threats, and 'Menaces they are ſtuffed with; which ſure could 'not be more gently reprehended by us, than by 'ſaying, *Their Expreſſions were different from the 'uſual Language to Princes*; which that Declaration 'tells you, *we had no Occaſion to ſay*. But we be-

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'lieve, whoſoever looks over that Declaration pre-
'ſented to us at *Newmarket*, to which ours was an
'Anſwer, will find the Language throughout it
'to be ſo unuſual that, before this Parliament, it
'could never be parallel'd; whilſt, under Pretence
'of juſtifying their Fears, they give ſo much Coun-
'tenance to the Diſcourſe of the Rebels of *Ireland*,
'as if they had a Mind our good Subjects ſhould
'give Credit to it: Otherwiſe, being warranted by
'the ſame Evidence, which they have ſince pub-
'liſhed, they would have as well declared, *That*
'*thoſe Rebels publickly threaten the rooting out the*
'*Name of the* Engliſh, *and that they will have a*
'*King of their own, and no longer be governed by*
'*us*; as that they ſay, *That they do nothing but by*
'*our Authority, and that they call themſelves*, The
'Queen's Army. And therefore we have great
'Reaſon to complain of the Abſence of Juſtice
'and Integrity in that Declaration, beſides the
'Unfitneſs of other Expreſſions.

'Neither did we miſtake the Subſtance or Logic
'of the Meſſage to us at *Theobalds*, concerning the
'Militia; which was no other, and is ſtated to be
'no other (even by that Declaration which reproved
'us) than a plain Threat, *That if we refuſed to join*
'*with them, they would make a Law without us:*
'Nor hath the Practice ſince that Time been other,
'which will never be juſtified to the moſt ordi-
'nary (if not partial) Underſtandings, by the meer
'averring it to be *according to the Fundamental Laws*
'*of this Kingdom*, without giving any Direction,
'that the moſt cunning and learned Men in the
'Laws may be able to find thoſe Foundations. And
'we muſt appeal to all the World, whether they
'might not, with as much Juſtice, and by as much
'Law, have ſeized upon the Eſtate of every Mem-
'ber of both Houſes, who diſſented from that pre-
'tended Ordinance, (which much the major Part
'of the Houſe of Peers did two or three ſeveral
'Times) as they have invaded that Power of ours
'over the Militia, becauſe we (upon Reaſons they
'have

'have not so much as pretended to answer) re- An. 18. Car. I.
'fused to consent to that Proposition. 1642.
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'And if no better Effects, than *Loss of Time and* 'Hindrance of public Affairs have been found by our 'Answers and Replies, let all good Men judge, by 'whose Default, and whose Want of Duty, such 'Effects have been: For as our End (indeed only 'End) in those Answers and Replies, hath been the 'Settlement and Composure of public Affairs, so 'we are assured, and most Men do believe, That 'if that due Regard and Reverence had been given 'to our Words, and that Consent and Obedience 'to our Counsels, which we did expect, there had 'been, before this Time, a chearful Calm upon 'the Face of the whole Kingdom; every Man en- 'joying his own, with all possible Peace and Secu- 'rity that can be imagined; which surely those 'Men do not desire, who (after all those Acts of 'Justice and Favour passed by us this Parliament, 'all those Affronts and Sufferings endured and under- 'gone by us) think fit still to reproach us with Ship- 'Money, Coat and Conduct-Money, and other 'Things so abundantly declared (as that Declara- 'tion itself confesses) in the *General Remonstrance of* 'the State of the Kingdom, passed in *November* last; 'u which we wonder to find now avowed to be the 'Remonstrance of both Houses; and which we as- 'sure was presented to us by the House of Commons 'only. and did never pass, and we are confident at 'that Time could never have passed, the House of 'Peers; the Concurrence and Authority of which 'was not then thought necessary. Shall we be- 'lieve those Reproaches to be the Voice of the 'Kingdom of *England?* That all our loving Sub- 'jects, eased, refreshed, strengthened, and abundant- 'ly satisfied with our Acts of Grace and Favour to- 'wards them, are willing to be involved in these 'unthankful Expressions? We must appeal to the 'Thanks and Acknowledgements published in the 'Petitions of most of the Counties of *England*; to

u See this *Remonstrance*, with the Debate thereon, in our Tenth Volume, p. 44, *et seq.*

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'the Teſtimony and Thanks we have received 'from both Houſes of Parliament, how ſeaſonable, 'how agreeable, this Uſage of us is to our Merit, 'or their former Expreſſions.

'We have not at all ſwerved or departed from 'our Reſolution, or Words, in the Beginning of 'this Parliament. We ſaid, *We were reſolved to put 'ourſelf, freely and clearly, upon the Love and Affec-'tion of our* Engliſh *Subjects*; and we ſay ſo ſtill, 'as far as concerns *England*. And we call Al-'mighty God to witneſs, that all our Complaints 'and Jealouſies, which have never been cauſeleſs, 'were not againſt our Houſes of Parliament, but 'ſome few ſchiſmatical, factious, and ambitious 'Spirits; and upon Grounds, as ſhort Time, we 'fear, will juſtify to the World. Our Denial of the 'Militia, and our abſenting ourſelf from *London*, 'have been the Effects of an upright and faithful 'Affection to our *Engliſh* Subjects, that we may be 'able (through all the Inconveniences we are com-'pelled to wreſtle with) at laſt to preſerve and reſtore 'their Religion, Laws, and Liberties unto them.

'Since the Proceedings againſt the Lord *Kymbol-'ton* and the five Members is ſtill look'd upon, and 'ſo often preſſed, as ſo great an Advantage againſt 'us, that no Retractation made by us, nor no Acti-'ons ſince that Time committed againſt us and the 'Law of the Land, under Pretence of Vindication 'of Privilege, can ſatisfy the Contrivers of that De-'claration; but that they would have our good 'Subjects believe, the Accuſation of thoſe ſix Mem-'bers muſt be a Plot for breaking the Neck of the 'Parliament; (a ſtrange Arrogance, if any of 'thoſe Members had the penning of that Declara-'tion) and that it is ſo often urged againſt us, as if, 'by that ſingle caſual Miſtake of ours, in Form 'only, we had forfeited all Duty, Credit, and Alle-'giance from our People; we muſt, without en-'deavouring to excuſe that, (which in Truth was 'an Error, our going to the Houſe of Commons) 'give our People a clear and full Narration of the 'Matter of Fact; aſſuring ourſelf that our good

'Sub-

'Subjects will not find our Carriage in that Busi- An. 18. Car. I.
'neſs ſuch as hath been reported. 1642.
May.

'When we reſolved upon ſuch Grounds, as, 'when they ſhall be publiſhed, will ſatisfy the 'World, That it was fit for our own Safety and 'Honour, and the Peace of the Kingdom, to pro- 'ceed againſt thoſe Perſons, though we well know 'there was no Degree of Privilege in that Caſe; 'yet, to ſhew our Deſire of Correſpondence with 'the two Houſes of Parliament, we choſe, rather 'than to apprehend their Perſons by the ordinary 'Miniſters of Juſtice (which, according to the Opi- 'nion and Practice of former Times, we might 'have done) to command our Attorney-General to 'acquaint our Houſe of Peers with our Intention, 'and the general Matters of our Charge, (which 'was yet more particular than a mere Accuſation) 'and to proceed accordingly; and, at the ſame 'Time, ſent a ſworn Servant, a Serjeant at Arms, 'to our Houſe of Commons, to acquaint them, 'That we did accuſe, and intended to proſecute, 'the five Members of that Houſe, for High Trea- 'ſon; and did require that their Perſons might be 'ſecured in Cuſtody: This we did, not only to ſhew 'that we intended not to violate or invade their 'Privileges, but to uſe more Ceremony towards 'them, than we then conceived, in Juſtice, might 'be required of us; and expected at leaſt ſuch an 'Anſwer as might inform us, if we were out of the 'Way; but we received none at all; only, in the 'Inſtant, without offering any Thing of their Pri- 'vileges to our Conſideration, an Order was made, 'and the ſame Night publiſhed in Print, *That if* '*any Perſon whatſoever ſhould offer to arreſt the Per-* '*ſon of any Member of that Houſe, without firſt ac-* '*quainting that Houſe therewith, and receiving fur-* '*ther Order from that Houſe, That it ſhould be* '*lawful for ſuch Members, or any Perſon, to reſiſt* '*them, and to ſtand upon his or their Guard of De-* '*fence and to make Reſiſtance, according to the Pro-* '*teſtation taken to defend the Privileges of Parlia-*

'*ment:*

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'ment: And this was the first Time that we heard 'the Protestation might be wrested to such a Sense; 'or that, in any Case, tho' of the most undoubted 'and unquestionable Privilege, it might be lawful 'for any Person to resist and use Violence against 'a public Minister of Justice, armed with lawful 'Authority; tho' we well knew, that even such 'a Minister might be punished for executing such 'Authority. Upon viewing this Order we must 'confess we were somewhat amazed, having never 'seen or heard of the like, though we had known 'Members of either House committed without so 'much Formality as we had used, and upon Crimes 'of a far inferior Nature to those we had suggested; 'and having no Course proposed to us for our Pro-'ceeding, we were upon the Matter only told, '*That against those Persons we were not to proceed at 'all*; *That they were above our Reach, or the Reach 'of the Law*, it was not then easy for us to resolve 'what to do: If we employed our Ministers of Jus-'tice in the usual Way for their Apprehension, (who, 'without Doubt, would not have refused to exe-'cute our lawful Commands) we saw what Resist-'ance and Opposition was like to be made, which, 'very probably, might have cost some Blood; if we 'sat still and desisted upon this Terror, we should, at 'the best, have confessed our own Want of Power, 'and the Weakness of the Law: In this Strait we 'put on a sudden Resolution, to try whether our 'own Presence, and a clear Discovery of our Inten-'tions (which happly might not have been so well 'understood) could remove those Doubts, and pre-'vent those Inconveniences which seem'd to have 'been threatned; and, thereupon, we resolved to 'go in our own Person to our House of Commons, 'which we discovered not till the very Minute of our 'going, when we sent out Orders, That our Servants, 'and such Gentlemen as were then in our Court, 'should attend us to *Westminster*; but giving them 'express Command, (as we have asserted in our 'Answer to the Ordinance) That no Accidents or

'Pro-

'Provocation ſhould draw them to any ſuch Action 'as might imply a Purpoſe of Force in us; and our- 'ſelf (requiring thoſe of our Train not to come 'within the Door) went into the Houſe of Com- 'mons; the bare doing of which, we did not then 'conceive, would have been thought more a Breach 'of Privilege, than if we had gone to the Houſe of 'Peers, and ſent for them to come to us, which 'is the uſual Cuſtom. We uſed the beſt Expreſ- 'ſions we could, to aſſure them how far we were 'from any Intention of violating their Privileges; 'that we intended to proceed legally and ſpeedily 'againſt the Perſons we had accuſed; and deſired, 'therefore, if they were in the Houſe, that they 'might be deliver'd to us; or, if abſent, that ſuch 'Courſe might be taken for their Forthcoming as 'might ſatisfy our juſt Demands; and ſo we de- 'parted, having no other Purpoſe of Force, if they 'had been in the Houſe, than we have before pro- 'teſted before God, in our Anſwer to the Ordi- 'nance. You have an Account of our Part of this 'Story fully, let our People judge freely of it: 'What followed on their Part, (though this Decla- 'ration tells you, *It could not withdraw any Part* 'of their Reverence and Obedience from us; it may 'be any Part of theirs it did not) we ſhall have 'too much Cauſe hereafter to inform the World.

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'There will be no End of the Diſcourſe of Up- 'braiding us with evil Counſellors, if, upon our 'conſtant Denial of knowing any, they will not 'vouchſafe to inform us of them; and after eight 'Months amuſing the Kingdom with the Expecta- 'tion of a Diſcovery of a Malignant Party, and of 'evil Counſellors, they will not at leaſt name any, 'nor deſcribe them: Let the Actions and Lives of 'Men be examined, who have contrived, coun- 'ſelled, actually conſented to grieve and burden our 'People; and if ſuch be about us, or any againſt 'whom any notorious malicious Crime can be 'proved, if we ſhelter and protect any ſuch, let our 'Injuſtice be publiſhed to the World; but till that 'be done, particularly and manifeſtly, (for we ſhall

'never

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'never conclude any Man, upon a bare general 'Vote of the major Part, of either, or both Houſes, 'till it be evident that major Part be without Paſſion or Affection) we muſt look upon the Charge 'this Declaration puts on us, *of Cheriſhing and 'Countenancing a diſcontented Party of the Kingdom againſt them*, as a heavier and unjuſter Tax 'upon our Juſtice and Honour, than any we have 'or can lay upon the Framers of that Declaration.

'And now, to countenance thoſe unhandſome 'Expreſſions, whereby uſually they have implied 'our Connivance at, or Want of Zeal againſt, 'the Rebellion of *Ireland*, ſo odious to all good 'Men, they have found a new Way of Exprobration; *That the Proclamation againſt thoſe bloody 'Traitors came not out till the Beginning of* January, 'though that *Rebellion broke out in* October; *and 'then, by ſpecial Command from us, but forty Copies 'were appointed to be printed.* 'Tis well known 'where we were at that Time, when that Rebellion 'broke forth, in *Scotland:* That we, immediately 'from thence, recommended the Care of that Buſineſs to both Houſes of Parliament here, after we 'had provided for all fitting Supplies from our 'Kingdom of *Scotland:* That after our Return hither we obſerved all thoſe Forms for that Service, 'which we were adviſed to by our Council of *Ireland*, or both Houſes of Parliament here: And if 'no Proclamation iſſued out ſooner, (of which for 'the preſent we are not certain; but think that 'others before that Time were iſſued by our Directions) it was, becauſe the Lords Juſtices of the 'Kingdom deſired them no ſooner; and when they 'did, the Number they deſired was but twenty, 'which they adviſed might be ſigned by us; which 'we, for Expedition of the Service, commanded to 'be printed, a Circumſtance not required by them; 'thereupon we ſigned more of them than our Juſtices deſired: All which was very well known to 'ſome Members of one or both Houſes of Parliament, who have the more to anſwer for, if they 'forbore to expreſs it at the Paſſing of this Declaration;

'ration; and if they did expreſs it, we have the 'greater Reaſon to complain that ſo envious an 'Aſperſion ſhould be caſt on us to our People, 'when they knew well how to anſwer their own 'Objection. An. 18. Car. 1. 1642. May.

'What that *Complaint is againſt the Parliament, put forth in our Name, which is ſuch an Evidence and Countenance to the Rebels, and ſpeaks the ſame Language of the Parliament, which the Rebels do*, we cannot underſtand. All our Anſwers and Declarations have been, and are, owned by us, and have been atteſted under our own Hand: If any other had been publiſhed in our Name, and without our Authority, it would be eaſy for both Houſes of Parliament to diſcover and apprehend the Authors: And we wiſh, that whoſoever was truſted with the Drawing and Penning of that Declaration, had no more Authority or Cunning to impoſe upon, or deceive, a major Part of thoſe Votes by which it paſſed, than any Man hath to prevail with us to publiſh, in our Name, any Thing but the Senſe and Reſolution of our own Heart; or that the Contriver of that Declaration could, with as good a Conſcience, call God to witneſs, That all his Counſels and Endeavours have been free from all private Aims, perſonal Reſpects, or Paſſions whatſoever, as we have done, and do, That we never had, or knew of, any Reſolution of bringing up the Army to *London*. And ſince this new Device is found out, inſtead of anſwering our Reaſons or ſatisfying our juſt Demands, to blaſt our Declarations and Anſwers, as if they were not our own, a bold ſenſeleſs Imputation; we are ſure that every Anſwer and Declaration publiſhed by us, is much more our own, than any one of thoſe bold, threatning, and reproachful Petitions and Remonſtrances are the Acts of either or both Houſes. And if the Penner of that Declaration had been careful of the Truſt repoſed in him, he would never have denied, (and thereupon found fault with our juſt

'Indig-

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'Indignation) in the Text or Margin, *That we 'had never been charged with the Intention of any 'Force; and that in their whole Declaration there is 'no Word tending to such a Reproach*; the contrary 'whereof is so evident, that we are, in express 'Terms, charged in that Declaration, *That we sent 'them gracious Messages, when, with our Privity, 'the bringing up the Army was in Agitation.* And, 'even in this Declaration they seek to make our 'People believe some such Thing to be proved in 'the Depositions now published; wherein, we doubt 'not, they will as much fail, as they do in their 'Censure of that Petition shewed formerly to us by 'Captain *Legge*, and subscribed by us with *C. R.* 'which, notwithstanding our full and particular 'Narration of the Substance of that Petition, the 'Circumstances of our approving and seeing it, this 'Declaration is pleased to say, *Was full of Scandal 'to the Parliament, and might have proved dangerous 'to the whole Kingdom.* If they have this danger-'ous Petition in their Hands, we have no Reason to 'believe any Tenderness to us ward hath kept 'them from communicating it: If they have it not, 'we ought to have been believed. But that all 'good People may compute their other pretended 'Dangers by their clear Understanding of this, '(the Noise whereof hath not been inferior to any of 'the rest) we have recovered a true Copy of the 'very Petition we signed with *C. R.* which shall, 'in fit Time, be published; and which, we hope, 'will open the Eyes of our good People.

'Concerning our Warrant for Mr. *Jermin*'s 'Passage, our Answer was true and full; but for 'his black Sattin Suit, and white Boots, we can 'give no Account.

'We complained in our Declaration, and as of-'ten as we have Occasion to mention our Return 'and Residence near *London*, we shall complain, of 'the barbarous and seditious Tumults at *Westmin-'ster* and *Whitehall*; which indeed were so full of 'Scandal to our Government, and Danger to our

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'Perſon, that we ſhall never think of our Return thither, till we have Juſtice for what is paſt, and Security for the Time to come. And it there were ſo great a Neceſſity, or Deſire of our Return as is pretended, in all this Time; upon our ſo often preſſing Deſires, and upon Cauſes ſo notorious, we ſhould, at leaſt, have procured ſome Order for the future: But that Declaration tells us, '*We are upon the Matter miſtaken*; *the Reſort of the Citizens to Weſtminſter was as lawful as the Reſort of great Numbers, every Day in the Term, to the ordinary Courts of Juſtice.* They knew no Tumults. Strange! Was the diſorderly Appearance of ſo many thouſand People, with Staves and Swords, crying thro' the Streets, *Weſtminſter-Hall*, and the Paſſage between both Houſes, inſomuch as the Members could hardly paſs to and fro, *No Biſhops*, *Down with the Biſhops*, no Tumults? What Member is there of either Houſe that ſaw not thoſe Numbers, and heard not thoſe Cries? And yet lawful Aſſemblies! Were not ſeveral Members of either Houſe aſſaulted, threatned, and ill treated? And yet no Tumults! Why made the Houſe of Peers a Declaration, and ſent it down to the Houſe of Commons, for ſuppreſſing of Tumults, if there were no Tumults? And, if there were any, why was not ſuch a Declaration conſented to and publiſhed? When the Attempts were ſo viſible, and the Threats ſo loud to pull down the Abbey at *Weſtminſter*, had not we juſt Cauſe to apprehend, That ſuch People might continue their Work to *Whitehall*? Yet no Tumults! What a ſtrange Time are we in, that a few impudent, malicious (to give them no worſe Term) Men ſhould caſt ſuch a ſtrange Miſt of Error before the Eyes of both Houſes of Parliament, as that they either cannot, or will not, ſee how manifeſtly they injure themſelves, by maintaining theſe viſible Untruths? We ſay no more. By the Help of God and the Law, we will have Juſtice for thoſe Tumults.

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May.

'From

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'From excepting (how weightily let every Man 'judge) to what we have ſaid, that Declaration 'proceeds to cenſure us for what we have not ſaid, 'for the prudent Omiſſions in our Anſwer: We 'forbore to ſay any Thing of the *Words ſpoken at* 'Kenſington, *or the Articles againſt our deareſt* '*Conſort, and of the Accuſation of the ſix Members.* 'Of the laſt we had ſpoken often, and we thought 'enough of the other two; having never accuſed 'any, tho', God knows, what Truth there might 'be in either, we had no Reaſon to give any par-'ticular Anſwer.

'We do not reckon ourſelf bereaved of any 'Part of our Prerogative, which we are pleaſed 'freely, for a Time, to part with by Bill; yet we 'muſt ſay, we expreſſed a great Truſt in our two 'Houſes of Parliament, when we diveſted ourſelf 'of the Power of diſſolving this Parliament; which 'was a juſt, neceſſary, and proper Prerogative: 'But we are glad to hear their Reſolution, *That it* '*ſhall not encourage them to do any Thing which,* '*otherwiſe, had not been fit to have been done.* If 'it do, it will be ſuch a Breach of Truſt, as God 'will require an Account for at their Hands.

'For the Militia; we have ſaid ſo much of it 'heretofore, and the Point is ſo well underſtood by 'all Men, that we will waſte no more Time in 'that Diſpute. We never ſaid, *There was no ſuch* '*Thing as an Ordinance*; (though we know that 'they have been long diſuſed) *but that there was* '*never any Ordinance, or can be, without the* '*King's Conſent*; and that is true: And the unne-'ceſſary Precedent, cited in the Declaration, doth 'not offer to prove the contrary. But enough of 'that. God and the Law muſt determine that 'Buſineſs.

'Neither hath this Declaration given us any Sa-'tisfaction concerning the Votes of the fifteenth and 'ſixteenth of *March* laſt; which we muſt declare 'and appeal to all the World, in this Point, to be 'the greateſt Violation of our Privilege, the Law of 'the Land, the Liberty of the Subject, and the

'Right

'Right of the Parliament that can be imagined. An. 18. Car. I. 1642. May.
'One of those Votes is, (and there needs no other to
'destroy the King and People) *That when the Lords*
'*and Commons* (it is well the Commons are admit-
'ted to their Part in Judicature) *shall declare what*
'*the Law of the Land is, the same must be assented*
'*to, and obeyed*; that is the Sense in few Words.
'Where is every Man's Property, every Man's
'Liberty? If a major Part of both Houses de-
'clare that the Law is, That the younger Brother
'shall inherit, what is become of all the Families
'and Estates in the Kingdom? If they declare,
'That, by the Fundamental Law of the Land,
'such a rash Action, such an unadvised Word,
'ought to be punished by perpetual Imprisonment,
'is not the Liberty of the Subject, *durante Bene-*
'*placito*, remediless? That Declaration confesseth,
'*They pretend not to a Power of making new Laws*;
'*that, without us, they cannot do that.* They need
'no such Power, if their Declaration can suspend
'this Statute from being obeyed or executed, and
'make this Order, which is no Statute, to be obeyed
'and executed: If they have Power to declare the
'Lord *Digby*'s waiting on us at *Hampton-Court*,
'and thence visiting some Officers at *Kingston*, with
'a Coach and six Horses, to be levying of War,
'and High Treason; and Sir *John Hotham*'s defy-
'ing us to our Face, keeping our Town, Fort,
'and Goods against us by Force of Arms, to be an
'Act of Affection and Loyalty; what needs a
'Power of making new Laws? Or is there such a
'Thing as Law left? We desire our good Subjects
'to mark the Reason and Consequence of these
'Votes; the Progress they have already made; and
'how infinite that Progress may be. First, they
'vote the *Kingdom is in imminent Danger* (it is a-
'bove three Months since they discerned it) *from*
'*Enemies abroad, and a Popish and discontented Par-*
'*ty at home*: That is Matter of Fact. The Law
'follows: This Vote hath given them *Authority by*
'*Law (the Fundamental Laws of the Kingdom) to*
'*order and dispose of the Militia of the Kingdom, and*
'*with*

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'*with this Power, and to prevent that Danger, to* '*enter into our Towns, ſeize on our Magazines, and,* '*by Force, keep both from us:* Is not this our Caſe? 'Firſt, they vote, *We have an Intention to levy War* '*againſt our Parliament*; that is Matter of Fact: 'Then they declare *ſuch as ſhall aſſiſt us to be guilty* '*of High Treaſon*; that is the Law, and proved by 'two Statutes, themſelves know to be repealed: 'No matter for that, they declare it. Upon this 'Ground they exerciſe the Militia, and ſo actu-'ally do that upon us, which they have voted we 'intend to do upon them. Who doth not ſee the 'Confuſion that muſt follow upon ſuch a Power of 'declaring? If they ſhould now vote, That we 'did not write this Declaration, but that ſuch an 'one did it, which is ſtill Matter of Fact; and 'then declare, That, for ſo doing, he is an Ene-'my to the Commonwealth; what is become 'of the Law that Man was born to? And if all 'their Zeal for the Defence of the Law, be but to 'defend that which they declare to be Law, their 'own Votes, it will not be in their Power to ſa-'tisfy any Man of their good Intentions to the pub-'lic Peace, but ſuch who is willing to relinquiſh his 'Title to *Magna Charta*, and hold his Life and 'Fortune by a Vote of a major Part of both Hou-'ſes. In a Word; we deny not but they may 'have Power to declare in a particular doubt-'ful Caſe, regularly brought before them, what 'Law is; but to make a general Declaration, 'whereby the known Rule of the Law may be croſ-'ſed or altered, they have no Power, nor can exer-'ciſe any, without bringing the Life and Liberty of 'the Subject to a lawleſs and arbitrary Subjection.

'We complained (and let the World judge the 'Juſtice and Neceſſity of that Complaint) of the 'Multitude of ſeditious Pamphlets and Sermons; 'and that Declaration tells us, *They know we have* '*Ways enough in our ordinary Courts of Juſtice to* '*puniſh theſe*: So we have to puniſh Tumults and 'Riots; and yet they will not ſerve our Turn to 'keep our Towns, our Foreſts, and Parks, from 'Violence.

'Violence. And it may be, though thoſe Courts An. 18. Car. I.
'have ſtill the Power to puniſh, they may have loſt 1642.
'the Skill to define what Riots and Tumults are; May.
'otherwiſe a Jury in *Southwark*, legally impanell'd
'to examine a Riot there, would not have been ſu-
'perſeded, and the Sheriff enjoined not to proceed,
'by Virtue of an Order of the Houſe of Com-
'mons; which it ſeems, at that Time, had the
'ſole Power of declaring. But it is no Wonder
'that they, who could not ſee the Tumults, do
'not conſider the Pamphlets and Sermons; tho'
'the Author of the *Proteſtation proteſted* be well
'known to be *Burton*, that infamous Diſturber of
'the Peace of this Church and State; and that he
'preached it at *Weſtminſter*, in the Hearing of di-
'vers Members of the Houſe of Commons: But
'of ſuch Pamphlets and ſeditious Preachers (divers
'whereof have been recommended, if not impoſed
'upon ſeveral Pariſhes, by ſome Members of both
'Houſes, (by what Authority we know not) we
'ſhall hereafter take a further Account.

'We confeſs we have little Skill in the Laws,
'and thoſe that have had moſt we now find are
'much to ſeek; yet we cannot underſtand or be-
'lieve, *That every ordinary Court, or any Court,*
'*hath Power to raiſe what Guard they pleaſe, and*
'*under what Command they pleaſe*; neither can we
'imagine what dangerous Effects they found by the
'Guard we appointed them; or, indeed, any the
'leaſt Occaſion why they needed a Guard at all.

'But of all the Imputations ſo cauſeleſly and un-
'juſtly laid upon us by that Declaration, we muſt
'wonder at that Charge, ſo apparently and evi-
'dently untrue, *That ſuch are continually preferred*
'*and countenanced by us, who are Friends or Fa-*
'*vourers of, or related unto, the chief Authors or*
'*Actors of that Arbitrary Power heretofore practiſed*
'*and complained of: And, on the other Side, That*
'*ſuch as did appear againſt it, are daily diſcounte-*
'*nanced and diſgraced.* We would know one Per-
'ſon that contributed to the Ills of thoſe Times, or
'had Dependence upon thoſe that did, whom we

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'do or lately have countenanced or preferr'd. Nay, 'we are confident, (and we look for no other at 'their Hands) as they have been always moſt emi- 'nent Aſſertors of the Public Liberties, ſo, if they 'found us inclined to any Thing not agreeable to 'Honour and Juſtice, they would leave us To- 'morrow: Whether different Perſons have not, and 'do not receive Countenance elſewhere, and upon 'what Grounds, let all Men judge; and whether 'we have not been forward enough to honour and 'prefer thoſe of the moſt contrary Opinion, how 'little Comfort ſoever we have had of thoſe Pre- 'ferments; in beſtowing of which, hereafter, 'we ſhall be more guided by Men's Actions than 'Opinions; and therefore we had good Cauſe 'to beſtow that Admonition (for we aſſure you it 'was an Admonition of our own) upon both our 'Houſes of Parliament, *To take Heed of inclining, 'under the ſpecious Shews of Neceſſity and Danger, 'to the Exerciſe of ſuch an Arbitrary Power they 'before complained of.* The Advice will do no 'Harm; and we ſhall be glad to ſee it followed.

'And are all the ſpecious Promiſes, and loud 'Profeſſions, *Of making us a great and glorious 'King; of ſettling a greater Revenue upon us than 'any of our Anceſtors have enjoyed; of making us to 'be honoured at home, and feared abroad*, reſolved 'into this, *That they will be ready to ſettle our Re- 'venue in an honourable Proportion, when we ſhall 'put ourſelf in ſuch a Poſture of Government, that 'our Subjects may be ſecure to enjoy our juſt Protec- 'tion for their Religion, Laws, and Liberties?* 'What Poſture of Government they intend we 'know not; nor can we imagine what Security our 'good Subjects can deſire for their Religion, Laws, 'and Liberties, which we have not offered, or fully 'given. And is it ſuitable to the Duty and Dig- 'nity of both Houſes of Parliament, to anſwer our 'particular weighty Expreſſions of the Cauſes of 'our Remove from *London* (ſo generally known to 'the Kingdom) with a Scoff, *That they hope we 'were driven from thence, not by our own Fears, but*

'*but by the Fears of the Lord* Digby *and his Retinue* An. 18. Car. I.
'*of Cavaliers?* Sure the Penner of that Declara- 1642
'tion inserted that ungrave and insolent Expression
'(as he hath done divers others) without the Con-
'sent or Examination of both Houses, who would
'not so lightly have departed from their former
'Professions of Duty to us.

'Whether the Way to a good Understanding
'between us and our People hath been as zealously
'pressed by them, as it hath been professed and de-
'sired by us, will be easily discerned by those who
'observe, that we have left no public Act undone
'on our Part, which, in the least Degree, might
'be necessary to the Peace, Plenty, and Security
'of our Subjects; and that they have not dispatch'd
'one Act which hath given the least Evidence of
'their particular Affection and Kindness to us;
'but, on the contrary, have discountenanced and
'hindered the Testimony other Men would have
'given us of their Affections: Witness the stop-
'ping and keeping back the Bill of Subsidies, grant-
'ed by the Clergy, almost a Year since; which,
'tho' our personal Wants are so notoriously known,
'they will not, to this Time, pass: So not only
'forbearing to supply us themselves, but keeping
'the Love and Bounty of other Men from us, and
'afford no other Answers to all our Desires, all
'our Reasons, (indeed not to be answered) than,
'*That we must not make our Understanding or Rea-*
'*son the Rule of our Government; but suffer our-*
'*self to be assisted* (which we never denied) *by our*
'*Great Council.* We require no other Liberty to
'our Will, than the meanest of them do, (we
'wish they would always use that Liberty) not to
'consent to any Thing evidently contrary to our
'Conscience and Understanding; and we have,
'and shall always give, as much Estimation and
'Regard to the Advice and Counsel of both our
'Houses of Parliament, as ever Prince hath done:
'But we shall never (and we hope our People will
'never) account the Contrivance of a few factious
'seditious Persons, (a Malignant Party, who

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'would sacrifice the Commonwealth to their own 'Fury and Ambition) the Wisdom of Parliament; 'and that the justifying and defending such Per- 'sons (of whom, and of their particular sinister 'Ways to compass their own bad Ends, we shall 'shortly inform the World) is not the Way to pre- 'serve Parliaments; but is the opposing and pre- 'ferring the Consideration of a few unworthy Per- 'sons, before their Duty to their King, or their 'Care of the Kingdom. They would have us re- 'member, *That our Resolutions do concern King- 'doms; and therefore not to be moulded by our own 'Understandings.* We well remember it; but we 'would have them remember, That when their 'Consultations endeavour to lessen the Office and 'Dignity of a King, they meddle with that which 'is not within their Determination, and of which 'we must give an Account to God and our other 'Kingdoms, and must maintain with the Sacrifice 'of our Life.

'*Lastly*, That Declaration tells you of a *present 'desperate and malicious Plot the Malignant Party 'is now acting, under the plausible Notions of stir- 'ring Men up to a Care of preserving the King's 'Prerogative; maintaining the Discipline of the 'Church; upholding and continuing the Reverence 'and Solemnity of God's Service; and encouraging 'Learning*; (indeed plausible and honourable No- 'tions to act any Thing upon) *and that upon these 'Grounds divers mutinous Petitions have been fram'd 'in* London, Kent, *and other Places.* Upon what 'Grounds would these Men have Petitions fram'd? 'Have so many Petitions (even against the Form 'and Constitution of the Kingdom, and the Laws 'established) been joyfully received and accepted? 'And shall Petitions, framed upon these Grounds, 'be call'd *Mutinous?* Hath a Multitude of mean, 'unknown, inconsiderable, contemptible Persons 'about the City and Suburbs of *London*, had Liberty 'to petition against the Government of the Church; 'against the Book of Common Prayer; against the 'Freedom and Privilege of Parliament; and been

thanked

'thanked for it: And shall it be call'd *Mutiny* in the gravest and best Citizens of *London*, or in the Gentry and Commonalty of *Kent*, to frame Petitions upon these Grounds; and to desire to be governed by the known Laws of the Land, not by Orders and Votes of either, or both Houses? Can this be thought the Wisdom and Justice of both Houses of Parliament? Is it not evidently the Work of a Faction within, or without, both Houses, who deceive the Trust reposed in them; and have now told us what *Mutiny* is, That to stir Men up to a Care of preserving our Prerogative; maintaining the Discipline of the Church; upholding and continuing the Reverence and Solemnity of God's Service; and encouraging of Learning, is *Mutiny!* Let Heaven and Earth, God and Man, judge between us and these Men. And however such Petitions are there call'd *mutinous*, and the Petitioners threatened, discountenanced, censured, and imprisoned; if they bring such lawful Petitions to us, we will graciously receive them; and defend them and their Rights against what Power soever, with the uttermost Hazard of our Being.

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'We have been the longer (to our very great Pain) in this Answer, that we might give the World Satisfaction, even in the most trivial Particulars which have been objected against us; and that we may not be again reproached with any more *prudent Omissions*. If we have been compelled to sharper Language than we affect, let it be consider'd, how vile, how insufferable our Provocations have been; and, except to repel Force be to assault, and to give punctual and necessary Answers to rough and insolent Demands be to make Invectives, we are confident the World will accuse us of too much Mildness; and all our good Subjects will think we are not well dealt with; and will judge of us, and of their own Happiness and Security in us, by our Actions; which we desire may no longer prosper, or have a Blessing from God upon them and us, than they shall be

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'directed to the Glory of God, in the Maintenance 'of the true Proteſtant Profeſſion; to the Preſerva- 'tion of the Property and Liberty of the Subject, 'in the Obſervation of the Laws; and to the 'Maintenance of the Rights and Freedom of Par- 'liament, in the Allowance and Protection of all 'their juſt Privileges.

May 25. Another Letter from the Lord *Howard*, at *York*, directed to the Lord-Keeper, was receiv'd, and read as follows;

A Fifth Letter from the Committee at *York*.

My Lord, York, May 23, 1642.

IN Obedience to the Command of the Houſe, we waited Yeſterday on his Majeſty, and preſented him with the Petition and Votes of both Houſes [x]. *He was pleaſed to tell us*, That he would not give us a preſent Anſwer, but that we ſhould have one ſhortly. *We do not, as yet, hear of any Reſolution to lay down theſe Guards; the Foot are ſtill in the ſame Number they were; the Horſe, as we hear, do increaſe; ſo, likewiſe, do Men's Fears and Apprehenſions. The Prince is made Captain of theſe Horſe, a Brother of Sir* John Byron's *Lieutenant, and one of Sir* Ingleby Daniel's *Sons, a Gentleman of this Country, is made Cornet. His Majeſty had ſummoned the Freeholders, Copyholders, and ſubſtantial Farmers, of this County, to be here, at* York, *on* Friday *next; but, this Afternoon, we hear there is a Warrant, from the King, to the High Sheriff, to defer that Meeting till* Friday *come Se'nnight. My Lord, this is all I have to acquaint you at this Time, and that I am*

Your Lordſhip's humble Servant,

ED. HOWARD.

An Order of the Houſe of Lords, for ſummoning their abſent Members.

The ſame Day the Lords took Notice of ſeveral of their Houſe being abſent on the King's Letters to attend him at *York*; and judging it contrary to the Privileges of that Houſe, reſolved to conſider what Courſe was fit to be taken with theſe Deſerters. Hereupon it was *ordered*, That the Lords gone to *York*,

[x] The Petition and Votes, here referred to, begin this Volume.

York, or other Places, contrary to a former Order of this Houſe, ſhall be ſent for, and taken into Cuſtody, to anſwer their Contempt done to this Houſe; and, in caſe they refuſe to come, then the Houſe would give Judgment againſt them for the ſame. The Lords *North* and *Brooke* were appointed to put down the Names of ſuch Peers as were abſent without Leave, *&c.* This was done accordingly, and preſented to the Houſe under the following DISTINCTIONS. An. 18. Car. I. 1642. May.

LORDS *that have abſented themſelves from the Parliament, and are now with his Majeſty at* York.

The Lord-Keeper	Earl of *Newport*
Duke of *Richmond*	Earl of *Thanet*
Marquis of *Hertford*	Earl of *Huntingdon*
Earl of *Cumberland*	Lord *Spencer*
Earl of *Bath*	Lord *Strange*
Earl of *Southampton*	Lord *Willoughby* of *Ereſby*
Earl of *Dorſet*	Lord *Rich*
Earl of *Saliſbury*	Lord *Andover*
Earl of *Northampton*	Lord *Fauconberge*
Earl of *Carliſle*	Lord *Lovelace*
Earl of *Clare*	Lord *Paulet*
Earl of *Weſtmoreland*	Lord *Coventry*
Earl of *Lindſey*	Lord *Saville*
Earl of *Newcaſtle*	Lord *Dunſmore*
Earl of *Dover*	Lord *Seymour*
Earl of *Caernarvon*	Lord *Herbert of Cherbury*

LORDS *that have* not abſented *themſelves from the Buſineſs of the Houſe.*

Earl of *Northumberland*	Earl of *Bolingbroke*
Earl of *Bedford*	Earl of *Peterborough*
Earl of *Pembroke* and *Montgomery*	Earl of *Stamford*
	Earl of *Mancheſter*
Earl of *Eſſex*	Earl of *Portland*
Earl of *Lincoln*	Earl of *Cleveland*
Earl of *Suffolk*	Earl of *Briſtol*
Earl of *Leiceſter*	Earl of *Monmouth*
Earl of *Warwick*	Earl of *Devonſhire*
Earl of *Holland*	Viſcount *Say* and *Sele*

Lord

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Lord *Dacres*
Lord *Haſtings*
Lord *Cromwell*
Lord *Wentworth*
Lord *Paget*
Lord *North*
Lord *Chandois*
Lord *Willoughby* of *Parham*
Lord *Wharton*
Lord *Hunſdon*
Lord *Pierpoint* (Viſcount *Newark*)
Lord *St. John*
Lord *Stanhope*
Lord *Grey de Ruthyn*
Lord *Roberts*
Lord *Kimbolton*
Lord *Howard* of *Eſkricke*
Lord *Brooke*
Lord *Fielding*
Lord *Mowbray*
Lord *Grey de Werk*
Lord *Howard de Charlton*
Lord *Capel*

LORDS *not commonly coming to Parliament, being either Minors, or diſabled by Old Age, or for other Reaſons and Infirmities.*

Duke of *Buckingham*
Earl of *Derby*
Earl of *Danby*
Earl of *Mulgrave*
Earl of *Rutland*
Earl of *Bridgewater*
Earl of *Kent*
Earl of *Oxford*
Earl of *Suſſex*
Earl of *Exeter*
Earl of *Nottingham*
Lord *Harvey*
Lord *Powis*

The reſt of the Peers are not particularly diſtinguiſhed, but only, in general, ſaid to be either abroad in foreign Parts, abſent with Leave, or Recuſants. The Lords *North* and *Brooke*, who, as before obſerved, were appointed to take this Account, told the Houſe, 'That they conceived the latter to have no Right to vote in Parliament, during their Recuſancy.

May 26. Another long Remonſtrance or Declaration having been framed by the Commons, and ſent up to the Lords, it was this Day read in that Houſe, and agreed to: The Earls of *Briſtol*, *Monmouth*, and *Devonſhire*, with the Lords *Mowbray*, *Grey de Ruthyn*, *Howard de Charlton*, *Pierpoint*, and *Capel*, diſſenting.

Or-

Ordered, That this Declaration be forthwith printed and published, as follows: y

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A Remonstrance of both Houses, *May*, 26, in Answer to the King's Declaration, concerning *Hull*, &c.

'ALthough the great Affairs of this Kingdom, 'and the miserable and bleeding Condition 'of the Kingdom of *Ireland*, affords us little Lei 'sure to spend our Time in Declarations, or in 'Answers and Replies; yet the Malignant Party 'about his Majesty, taking all Occasions to mul- 'tiply Calumnies upon the Houses of Parliament, 'and to publish sharp Invectives under his Maje- 'sty's Name against them and their Proceedings; '(a new Engine which they have invented to 'heighten the Distractions of this Kingdom, and 'to beget and increase Distrust and Disaffection 'between the King, his Parliament, and the Peo- 'ple) we cannot be so much wanting to our own 'Innocency, or to the Duty of our Trust, as not 'to clear ourselves from those false Aspersions; 'and (which is our chiefest Care) to undeceive the 'People's Minds, and open their Eyes, that under 'the false Shews and Pretexts of the Law of the 'Land, and of their own Rights and Liberties, 'they may not be carried into the Road-way that 'leads to the utter Ruin and Subversion thereof.

'A late Occasion that these wicked Spirits of 'Division have taken to defame, and indeed to ar- 'raign, the Proceedings of both Houses of Parlia- 'ment, hath been from our Votes of the 26th of '*April*, and our Declaration concerning the Busi- 'ness of *Hull*; which because we put forth before 'we could send our Answer concerning that Mat- 'ter unto his Majesty, those mischievous Instru- 'ments of Dissention, between the King, the Par- 'liament, and the People, whose chief Labour and 'Study

y From the Original Edition, printed for *John Frank*. 1642. The Declarations and other Proceedings of Parliament having been printed, very frequently about this Time, in an incorrect Manner, by unlicensed Printers, we find, in the Title of this Declaration, the following remarkable Certificate.

According to an Order made in the House of Commons on Saturday *last, I have examined this Copy with the Original, and have mended it.*

H. Elsing, *Cler. Parl. D. Com.*

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'Study is to misrepresent our Actions to his Majesty and to the Kingdom, would needs interpret this as an Appeal to the People, and a declining of all Intercourse between his Majesty and us, as if we thought it to no Purpose to endeavour any more to give him Satisfaction; and, without expecting any longer our Answer, they themselves have, under the Name of a Message from his Majesty to both Houses of Parliament, indeed made an Appeal to the People; as the Message itself doth in a Manner grant it to be, offering to join Issue with us in that Way; and, in the Nature thereof, doth clearly shew itself to be none other: Therefore we shall likewise address our Answer to the Kingdom, not by Way of Appeal, as we are charged; but to prevent them from being their own Executioners; and from being persuaded, under false Colours of defending the Law and their own Liberties, to destroy both with their own Hands; by taking their Lives, Liberties, and Estates out of those Hands whom they have chosen and intrusted therewith; and resigning them up unto some evil Counsellors about his Majesty, who can lay no other Foundation of their own Greatness, but upon the Ruin of this, and, in it, of all Parliaments, and, in them, of the true Religion, and the Freedom of this Nation.

'These are the Men that would persuade the People, that both Houses of Parliament (containing all the Peers, and representing all the Commons of *England*) would destroy the Laws of the Land and Liberty of the People; wherein, besides the Trust of the whole, they themselves, in their own Particulars, have so great an Interest of Honour and Estate, that we hope it will gain little Credit with any that have the least Use of Reason, that such as must have so great a Share in the Misery, should take so much Pains in the procuring thereof; and spend so much Time, and run so many Hazards, to make themselves Slaves and destroy the Property of their Estates.

'But

'But that we may give particular Satisfaction to the ſeveral Imputations caſt upon us, we ſhall take them in Order, as they are laid upon us in that Meſſage. An. 18. Car. I. 1642. May.

'*Firſt*, We are charged *for the Avowing of that Act of Sir* John Hotham, *which is term'd unparalelled, and an high and unheard of Affront unto his Majeſty*; and, as if we needed not to have done it, *he being able*, as is alledged, *to produce no ſuch Command of the Houſes of Parliament.*

'Although Sir *John Hotham* had not an Order that did expreſs eve y Circumſtance of that Caſe, yet he might have produced an Order of both Houſes which did comprehend this Caſe, not only in the clear Intention, but in the very Words thereof; which knowing in our Conſciences to be ſo, and to be moſt neceſſary for the Safety of the Kingdom, we could not but, in Honour and Juſtice, avow that Act of his; which we are confident will appear to all the World to be ſo far from being an Affront to the King, that it will be found to have been an Act of great Loyalty to his Majeſty, and to his Kingdom.

'The next Charge upon us is, *That, inſtead of giving his Majeſty Satisfaction, we publiſhed a Declaration concerning that Buſineſs, as an Appeal unto the People; as if our Intercourſe with his Majeſty, and for his Satisfaction, were now to no more Purpoſe*; which Courſe is alledged to be *very unagreeable to the Modeſty and Duty of former Times, and not warrantable by any Precedents, but what ourſelves have made.*

'If the Penner of this Meſſage had waited a while, and had not expected that two Houſes of Parliament, (eſpecially burthened as they are at this Time with ſo many preſſing and urgent Affairs) ſhould have moved as faſt as himſelf, he would not have ſaid that Declaration was inſtead of an Anſwer to his Majeſty; which we did diſpatch with all the Speed and Diligence we could, and have ſent it to his Majeſty by a Committee

'of

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of both Houſes; whereby it appears, that we did it not upon that Ground, *that we thought it was no more to any purpoſe to endeavour to give his Majeſty Satisfaction.* And as for *the Duty and Modeſty of former Times, from which we are ſaid to have varied, and to want the Warrant of any Precedents therein, but what ourſelves have made:* If we have made any Precedents in this Parliament, we have made them for Poſterity; upon the ſame, or better, Grounds of Reaſon and Law than thoſe were upon which our Predeceſſors firſt made any for us. And as ſome Precedents ought not to be Rules for us to follow, ſo none can be Limits to bound our Proceedings, which may and muſt vary according to the different Condition of Times; and for this Particular *of ſetting forth Declarations, for the Satisfaction of the People, who have choſen and entruſted us with all that is dearest to them*; if there be no Example for it, it is becauſe there was never any ſuch Monſters before, that ever attempted to diſſaffect the People from a Parliament, or could ever harbour a Thought that it might be effected: Were there ever ſuch Practices to poiſon the People with an ill Apprehenſion of the Parliament? Were there ever ſuch Imputations and Scandals laid upon the Proceedings of both Houſes? Were there ever ſo many and ſo great Breaches of Privilege of Parliament? Were there ever ſo many and ſo deſperate Deſigns of Force and Violence againſt the Parliament, and the Members thereof? If we have done more than ever our Anceſtors have done, we have ſuffered more than ever they have ſuffered; and yet, in point of Modeſty and Duty, we ſhall not yield to the beſt of former Times; and we ſhall put this in Iſſue, Whether the higheſt and moſt unwarrantable Proceedings of any of his Majeſty's Predeceſſors, do not fall ſhort of, and much below, what hath been done to us this Parliament: And, on the other Side, Whether, if we ſhould make the higheſt Precedents of other Parliaments

liaments our Patterns, there would be Cauſe to complain of *Want of Modeſty and Duty in us*; when we have not ſo much as ſuffered ſuch Things to enter into our Thoughts, which all the World knows they have put in Action? An. 18. Car. I. 1642. May.

'Another Charge which is laid very high upon us (and which were indeed a very great Crime if we were found guilty thereof) is, *That, by Avowing this Act of* Sir John Hotham, *we do, in Conſequence, confound and deſtroy the Title and Intereſt of all his Majeſty's good Subjects to their Lands and Goods; and that upon this Ground, That his Majeſty hath the ſame Title to his own Town of* Hull, *which any of his Subjects have to their Houſes or Lands; and the ſame to his Magazine or Munition there, that any Man hath to his Money, Plate, or Jewels; and therefore that they ought not to have been diſpoſed of without or againſt his Conſent, no more than the Houſe, Land, Money, Plate, or Jewels, of any Subject ought to be, without or againſt his Will.*

'Here that is laid down for a Principle, which would indeed pull up the very Foundation of the Liberty, Property, and Intereſt of every Subject in particular, and of all the Subjects in general; if we ſhould admit it for a Truth, *That his Majeſty hath the ſame Right and Title to his Towns and Magazines* (bought with the Publick Monies, as we conceive that at *Hull* to have been) *that every particular Man hath to his Houſe, Lands, and Goods*; for his Majeſty's Towns are no more his own, than his Kingdom is his own; and his Kingdom is no more his own, than his People are his own; and if the King had a Property in all his Towns, what would become of the Subjects Property in their Houſes therein? And if he had a Property in his Kingdom, what would become of the Subjects Property in their Lands throughout the Kingdom? Or of their Liberties, if his Majeſty had the ſame Right in their Perſons, that every Subject hath in their Lands, or Goods? And what would become of all the Subjects Intereſt in

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'the Towns and Forts of the Kingdom, and in 'the Kingdom itſelf, if his Majeſty might ſell, or 'give them away, or diſpoſe of them at his Plea-'ſure, as a particular Man may do with his Lands 'and with his Goods? This erroneous Maxim 'being infuſed into Princes, *That their Kingdoms 'are their own, and that they may do with them what 'they will*, (as if their Kingdoms were for them, 'and not they for their Kingdoms) is the Root of 'all the Subjects Miſery, and of all the Invading 'of their juſt Rights and Liberties; whereas, in-'deed, they are only intruſted with their King-'doms, and with their Towns, and with their 'People, and with the public Treaſure of the 'Commonwealth, and whatſoever is bought there-'with: By the known Law of this Kingdom, the 'very Jewels of the Crown are not the King's 'proper Goods, but are only intruſted to him for 'the Uſe and Ornament thereof; as the Towns, 'Forts, Treaſure, Magazine, Offices, and People 'of the Kingdom, and the whole Kingdom itſelf, 'are intruſted unto him for the Good and Safety 'and beſt Advantage thereof: And as this Truſt is 'for the Uſe of the Kingdom, ſo ought it to be 'manag'd by the Advice of the Houſes of Parlia-'ment, whom the Kingdom hath truſted for that 'Purpoſe; it being their Duty to ſee it be diſcharg-'ed according to the Condition and true Intent 'thereof: and, as much as in them lies, by all poſ-'ſible Means to prevent the contrary; which, if 'it hath been their chief Care and only Aim in the 'diſpoſing of the Town and Magazine of *Hull*, in 'ſuch Manner as they have done, they hope it will 'appear clearly to all the World, That they have 'diſcharged their own Truſt, and not invaded that 'of his Majeſty's; much leſs his Property, which, 'in this Caſe, they could not do.

'But admitting his Majeſty had, indeed, a Pro-'perty in the Town and Magazine of *Hull*, who 'doubts but that a Parliament may diſpoſe of any 'Thing wherein his Majeſty or any Subject hath

'a

'a Right in such a Way as that the Kingdom may 'not be exposed to Hazard or Danger thereby; 'which is our Case in the disposing of the Town 'and Magazine of *Hull?* And whereas his Majesty 'doth allow this, and a greater Power to a Parlia-'ment, but in that Sense only as he himself is a 'Part thereof; we appeal to every Man's Con-'science, that hath observed our Proceedings, whe-'ther we disjoined his Majesty from his Parliament; 'who have, in all humble Ways, sought his Con-'currence with us; as in this Particular about *Hull*, 'and for the Removal of the Magazine there, so 'also in all other Things; or whether these evil 'Counsellors about him have not separated him 'from his Parliament, not only in Distance of 'Place, but also in the Discharge of this joint 'Trust with them for the Peace and Safety of the 'Kingdom, in this and some other Particulars.

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'We have given no Occasion to his Majesty to 'declare his Resolution with so much Earnestness, '*That he will not suffer either, or both Houses, by 'their Votes, without or against his Consent, to enjoin 'any Thing that is forbidden by the Law, or to forbid 'any Thing that is enjoined by the Law*; for our 'Votes have done no such Thing: And as we shall 'be very tender of the Law; (which we acknow-'ledge to be the Safeguard and Custody of all pub-'lic and private Interests) so we shall never allow 'a few private Persons about his Majesty, nor his 'Majesty himself, in his own Person and out of 'his Court, to be judge of the Law; and that 'contrary to the Judgment of the Highest Court 'of Judicature: In like Manner, *That his Majesty 'hath not refused to consent to any Thing, that might 'be for the Peace and Happiness of the Kingdom*, 'we cannot admit it in any other Sense, but as 'his Majesty taketh the Measure of what will be 'for the Peace and Happiness of the Kingdom, 'from some few ill-affected Persons about him, 'contrary to the Advice and Judgment of his 'great Council of Parliament.

'And

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'And becauſe the Advice of both Houſes of 'Parliament hath, through the Suggeſtions of evil 'Counſellors, been ſo much undervalued of late, 'and ſo abſolutely rejected and refuſed; we hold it 'fit to declare unto the Kingdom, (whoſe Honour 'and Intereſt is ſo much concerned in it) what is 'the Privilege of the great Council of Parliament 'herein, and what is the Obligation that lieth upon 'the Kings of this Realm to paſs ſuch Bills as are 'offered unto them by both Houſes of Parliament 'in the Name, and for the Good, of the whole 'Kingdom; whereunto they ſtand engaged, both 'in Conſcience and in Juſtice, to give their Royal 'Aſſent[z]: In Conſcience, in reſpect of the Oath 'that is, or ought to be, taken by the Kings of 'this Realm at their Coronation; as well to con-'firm, by their Royal Aſſent, ſuch good Laws as 'their People ſhall chuſe; and to remedy by Law, 'ſuch Inconveniences as the Kingdom may ſuffer; 'as to keep and protect the Laws already in being. 'This may appear both by the Form of the Oath 'upon Record, and in Books of good Authority, 'and by the Statute of the 25th of *Edward* III. 'intitled, *The Statute of Proviſors of Benefices*; the 'Form of which Oath, and the Clauſe of that Sta-'tute concerning it, are as followeth:

Rot. Parl. An. 1. Hen. IV. *N.* 17.

FORMA JURAMENTI ſoliti et conſueti præſtari, per REGES ANGLIÆ, in eorum CORONATIONE.

'*Servabis Eccleſiæ Dei, Cleroq; & Populo, Pa-'cem ex integro, et Concordiam in Deo, ſecundum 'Vires tuas?*

Reſpondebit, Servabo.

Fa-

[z] It appears by the *Commons Journals* of the 10th of this Month, that there was a Diviſion in the Houſe, upon the Queſtion 'Whether this Clauſe beginning with theſe Words, *In Conſcience, &c.* ſhould ſtand as Part of this Declaration?' It was carried in the Affirmative by 103 Voices againſt 61. This enables us to correct a Miſtake of Lord *Clarendon*'s, wherein he ſays, ſpeaking of the Time of the paſſing this Declaration, 'That, in Debates of the higheſt Conſequence, there was not uſually preſent in the Houſe of Commons the Fifth Part of their juſt Numbers.'

'*Facies fieri, in omnibus Judiciis tuis, equam & rectam Juſtitiam, & Diſcretionem in Miſericordia & Veritate, ſecundum Vires tuas?*

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Reſpondebit, Faciam.

'*Concedis juſtas Leges & Conſuetudines eſſe tenendas, & promittis, per te eas eſſe protegendas, & ad Honorem Dei corroborandas, quas Vulgus elegerit, ſecundum Vires tuas?*

Reſpondebit, Concedo et promitto.

'*Adjicianturq; prædictis Interrogationibus quæ juſta fuerint, prænunciatiſq; omnibus, confirmet Rex ſe omnia ſervaturum, Sacramento ſuper Altare præſtito, coram cunctis.*

A CLAUSE in the PREAMBLE of a STATUTE made in the 25th of *Edward* III. intitled, *The Statute of Proviſors of Benefices.*

'*Whereupon the ſaid Commons have prayed our ſaid Lord the King, that ſince the Right of the Crown of* England, *and the Law of the ſaid Realm is ſuch, that, upon the Miſchiefs and Damages which happen to his Realm, he ought, and is bound by his Oath, with the Accord of his People in his Parliament, thereof to make Remedy and Law; and in removing the Miſchiefs and Damages which thereof enſue, that it may pleaſe him thereupon to ordain Remedy:*

'*Our Lord the King ſeeing the Miſchiefs and Damages before-mentioned; and having Regard to the ſaid Statute, made in the Time of his ſaid Grandfather*[a], *and to the Cauſes contained in the ſame, which Statute holdeth always its Force, and was never defeated, repealed, nor annulled in any Point; and by ſo much he is bounden by his Oath to cauſe the ſame to be kept as the Law of his Realm, tho' that, by Sufferance and Negligence, it hath been ſince attempted to the contrary; alſo having Regard to*

[a] The Statute at *Carliſle, Anno* 35. *Edward* I. In our Firſt Volume.

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'*the grievous Complaints made to him by his People, in divers his Parliaments holden heretofore, willing to ordain Remedy for the great Damages and Miſchiefs, which have happened, and daily do happen, to the Church of* England *by the ſaid Cauſe*, &c.

'Here the Lords and Commons claim it directly, as the Right of the Crown of *England*, and of the Law of the Land, That the King is bound by his Oath, with the Accord of his People in Parliament, to make Remedy and Law upon the Miſchiefs and Damages which happen to this Realm; and the King doth not deny it, although he take Occaſion, from a Statute formerly made by his Grandfather, which was laid as a Part of the Ground of this Petition, to fix his Anſwer upon another Branch of his Oath; and pretermits that which is claim'd by the Lords and Commons, which he would not have done if it might have been excepted againſt.

'In Juſtice they are obliged thereunto, in reſpect of the Truſt repoſed in them, which is as well to preſerve the Kingdom by the making of new Laws where there ſhall be need, as by obſerving of Laws already made. A Kingdom being many Times as much expoſed to Ruin for the Want of a new Law, as by the Violation of thoſe that are in being; and this is ſo clear a Right, that, no Doubt, his Majeſty will acknowledge it to be as due unto his People as his Protection; but how far forth he is obliged to follow the Judgment of his Parliament therein, that is the Queſtion. And certainly, beſides the Words in the King's Oath, referring unto ſuch Laws as the People ſhall chuſe, as in ſuch Things which concern the Public Weal and Good of the Kingdom, they are the moſt proper Judges, who are ſent from the whole Kingdom for that very Purpoſe; ſo we do not find, ſince Laws have paſſed by way of Bills (which are read thrice in both Houſes, and committed, and every Part and Circumſtance of them

'them fully weighed and debated upon the Com- An. 18. Car. I.
'mitment, and afterwards paſſed in both Houſes) 1642.
'that ever the Kings of this Realm did deny them, May.
'otherwiſe than is expreſſed in that uſual Anſwer,
'*Le Roy ſ'aviſera*; which ſignifies rather a Suſpen-
'ſion than a Refuſal of the Royal Aſſent [b]: And
'in thoſe other Laws, which are framed by Way
'of Petition of Right, the Houſes of Parliament
'have taken themſelves to be ſo far Judges of the
'Rights claimed by them, that when the King's
'Anſwer hath not, in every Point, been fully ac-
'cording to their Deſire, they have ſtill inſiſted up-
'on their Claim; and never reſted ſatisfied till
'ſuch Time as they had an Anſwer according to their
'own Demands; as was done in the late Petition
'of Right, and in former Times upon the like
'Occaſion: And if the Parliament be Judge be-
'tween the King and his People in the Queſtion
'of Right, (as by the Manner of the Claim in Pe-
'titions of Right, and by Judgments in Parliament,
'in Caſes of illegal Impoſitions and Taxes, and the
'like, it appeareth to be) why ſhould they not be
'ſo alſo in the Queſtion of the Common Good and
'Neceſſity of the Kingdom; wherein the Kingdom
'hath as clear a Right alſo to have the Benefit and
'Remedy of Law, as in any Thing whatſoever?
'And yet we do not deny but, in private Bills, and
'alſo in publick Acts of Grace, as Pardons, and
'the like Grants of Favour, his Majeſty may have
'a greater Latitude of Granting or Denying, as he
'ſhall think fit.

'All this conſider'd, we cannot but wonder, That
'the Contriver of this Meſſage ſhould conceive the
'People of this Land to be ſo void of Common
'Senſe, as to enter into ſo deep a Miſtruſt of thoſe
'that they have repoſed, and his Majeſty ought to
'repoſe, ſo great a Truſt in, as to deſpair of any
'Security in their private Eſtate, by Deſcents, Pur-
'chaſes, Aſſurances, or Conveyances; unleſs his
'Majeſty ſhould, by his Vote, prevent the Prejudice
'they might receive therein by the Votes of both

[b] See Volume X. p. 517.

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'Houſes of Parliament: As if they, who are eſpecially choſen and intruſted for that Purpoſe, and, who themſelves, muſt needs have ſo great a Share in all Grievances of the Subject, had wholly caſt off all Care of the Subject's Good; and his Majeſty had, ſolely, taken it up: And as if it could be imagined, That they ſhould, by their Votes, overthrow the Right of Deſcents, Purchaſes, or of any Conveyance or Aſſurance, in whoſe Judgment the Kingdom hath placed all their particular Intereſts, if any of them ſhould be called in Queſtion in any of thoſe Caſes; and that (as knowing not where to place them with greater Security) without any Appeal from them, to any other Perſon or Court whatſoever.

'But indeed we are very much to ſeek how the Caſe of *Hull* ſhould concern Deſcents and Purchaſes, or Conveyances and Aſſurances, unleſs it be in procuring more Security to Men in their private Intereſts, by the Preſervation of the whole from Confuſion and Deſtruction; and much leſs do we underſtand how the Sovereign Power was reſiſted and deſpiſed therein[c]: Certainly no Command from his Majeſty and his High Court of Parliament, where the Sovereign Power reſides, was diſobeyed by Sir *John Hotham*; nor yet was his Majeſty's Authority derived out of any other Court, or by any legal Commiſſion, or by any other Way wherein the Law hath appointed his Majeſty's Commands to be derived to his Subjects. And of what Validity his verbal Commands are, without any ſuch Stamp of his Authority upon them, and againſt the Order of both Houſes of Parliament; and whether the not ſubmitting thereunto be a Reſiſting and Deſpiſing of the Sovereign Authority, we leave it to all Men to judge, that do at all underſtand the Government of this Kingdom.

'We

[c] In our Eighth Volume, the Reader will find a long Debate, occaſioned by a Conference between the two Houſes, concerning the Nature and Extent of Sovereign Power.

'We acknowledge, *That his Majesty hath made* An. 18. Car. I. 1642. May.
'*many Expressions of his Zeal and Intentions against*
'*the desperate Designs of Papists*; but yet it is also
'as true, that the Counsels, which have prevailed
'of late with him, have been little suitable to those
'Expressions and Intentions: For what doth more
'advance the open and bloody Design of the Papists
'in *Ireland*, (whereon the secret Plots of the Pa-
'pists here do, in all Likelihood, depend) than
'his Majesty's absenting himself, in that Manner
'that he doth, from his Parliament, and setting
'forth such sharp Invectives against them; notwith-
'standing the humble Petitions, and other Means,
'which his Parliament hath addressed unto him for
'his Return, and for his Satisfaction concerning
'their Proceedings? And what was more likely to
'give a Rise to the Designs of Papists (whereof
'there are so many in the North near to the Town
'of *Hull*) and of other malignant and ill-affected
'Persons, which are ready to join with them, or to
'the Attempts of Foreigners from abroad, than the
'continuing of that great Magazine at *Hull*, at
'this Time, contrary to the Desire and Advice of
'both Houses of Parliament? So that we have
'too much Cause to believe, that the Papists have
'still some Way and Means, whereby they have
'Influence upon his Majesty's Counsels for their
'own Advantage.

'For the Malignant Party; his Majesty needeth
'not a Definition of the Law, nor yet a more full
'Character of them from both Houses of Parlia-
'ment, for to find them out; if he will please only
'to apply the Character, that himself hath made of
'them, to those unto whom it doth properly and
'truely belong, who are so much disaffected to the
'Peace of the Kingdom, as that they endeavour to
'disaffect his Majesty from the Houses of Parlia-
'ment, and persuade him to be at such a Distance
'from them both in Place and Affection. Who are
'more disaffected to the Government of the King-
'dom, than such as lead his Majesty away from
'hearkening to his Parliament, (which, by the

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‘ Conſtitution of this Kingdom is his greateſt and ‘ beſt Council) and perſuade him to follow the ma- ‘ licious Counſels of ſome private Men, in oppoſing ‘ and contradicting the wholeſome Advices and juſt ‘ Proceedings of that his moſt faithful Council and ‘ higheſt Court? Who are they that not only ne- ‘ glect and deſpiſe, but labour to undermine the Law, ‘ under Colour of maintaining of it, but they that ‘ endeavour to deſtroy the Fountain and Conſerva- ‘ tory of the Law, which is the Parliament? And ‘ who are they that *ſet up Rules for themſelves to* ‘ *walk by, other than ſuch as are appointed by Law*, ‘ but they that will make other Judges of the Law ‘ than the Law hath appointed; and ſo diſpenſe ‘ with their Obedience to that which the Law cal- ‘ leth Authority, and to their Determinations and ‘ Reſolutions to whom the Judgment doth apper- ‘ tain by Law? For when private Perſons ſhall ‘ make the Law to be their Rule, according to their ‘ own Underſtandings, contrary to the Judgments ‘ of thoſe that are competent Judges thereof, they ‘ ſet up to themſelves other Rules than the Law ‘ doth acknowledge. Who theſe Perſons are, none ‘ knoweth better than his Majeſty himſelf; and if ‘ he will pleaſe to take all poſſible Caution of them, ‘ as deſtructive to the Commonwealth and himſelf, ‘ and would remove them from about him, it ‘ would be the moſt effectual Means to compoſe all ‘ the Diſtractions, and to cure the Diſtempers of ‘ this Kingdom.

‘ For the Lord *Digby*'s Letter; we did not make ‘ Mention of it as a *Ground to hinder his Majeſty* ‘ *from viſiting his own Fort*; but we appeal to the ‘ Judgment of any indifferent Man that ſhall read ‘ that Letter, and compare it with the Poſture that ‘ his Majeſty then did, and ſtill doth, ſtand in to- ‘ wards the Parliament, and with the Circumſtances ‘ of that late Action of his Majeſty in going to *Hull*, ‘ whether the Adviſers of that Journey intended ‘ only a Viſit of that Fort and Magazine. As to ‘ the Ways and Overtures of Accommodation, and ‘ the Meſſage of the 20th of *January* laſt, *ſo often* ‘ *preſſed*

'*preſſed, but ſtill in vain*, as is alledged, our An- An. 18. Car. I.
'ſwer is, That although, ſo often as the Meſſage 1642.
'of the 20th of *January* hath been preſſed, ſo often May.
'have our Privileges been clearly infringed; in that
'a Way and Method of proceeding ſhould be pre-
'ſcribed unto us, as well for the ſettling of his Ma-
'jeſty's Revenue, as for the preſenting of our own
'Deſires: A Thing which, in former Parliaments,
'hath always been excepted againſt as a Breach of
'Privilege; yet, in reſpect of the Matter contained
'in that Meſſage, and out of our earneſt Deſire to
'beget a good Underſtanding between his Majeſty
'and us, we ſwallowed down all Matters of Cir-
'cumſtance; and had, e'er this Time, preſented
'the chief of our Deſires to his Majeſty; had we
'not been interrupted with continual Denials, even
'of thoſe Things that were neceſſary for our preſent
'Security and Subſiſtence; and had not thoſe De-
'nials been followed with perpetual Invectives
'againſt us and our Proceedings; and had not thoſe
'Invectives been heaped upon us ſo thick one after
'another, (who were already in a Manner wholly
'taken up with the preſſing Affairs of this King-
'dom, and of the Kingdom of *Ireland*) that, as
'we had little Encouragement from thence to hope
'for any good Anſwers to our Deſires, ſo we had
'not ſo much Time left us to perfect them in ſuch
'a Manner as to offer them unto his Majeſty.

'We confeſs it is a Reſolution moſt worthy of a
'Prince, and of his Majeſty, *To ſhut his Ears*
'*againſt any that would incline him to a Civil War,*
'*and to abhor the very Apprehenſion of it*; but we
'cannot believe that Mind to have been in them
'that came with his Majeſty to the Houſe of Com-
'mons; or in them that accompanied his Majeſty
'to *Hampton-Court*, and appeared in a warlike
'Manner at *Kingſton* upon *Thames*; or in divers of
'them that followed his Majeſty now lately to
'*Hull*; or in them, that, after, drew their Swords
'at *York*, demanding *who would be for the King*;
'nor in them that adviſed his Majeſty to declare

'Six

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'Sir *John Hotham* a Traitor, before the Meſſage 'was ſent concerning that Buſineſs to the Parliament; or to make Propoſitions to the Gentlemen of the County of *York*, to aſſiſt his Majeſty 'to proceed againſt him in a Way of Force, before 'he had, or poſſibly could, receive an Anſwer from 'the Parliament, to whom he had ſent to demand 'Juſtice of them againſt Sir *John Hotham* for that 'Fact: And if thoſe malignant Spirits ſhall ever 'force us to defend our Religion, the Kingdom, 'the Privileges of Parliament, and the Rights and 'Liberties of the Subjects, with our Swords, the 'Blood and Deſtruction, that ſhall enſue there-'upon, muſt be wholly caſt upon their Account, '*God and our own Conſciences tell us that we are 'clear*; *and we doubt not but God and the whole 'World will clear us therein.*

'For Captain *Legge*; we did not ſay, *That he 'was accuſed, or that there was any Charge againſt 'him for the bringing up of the Army*; but that he 'was employed in that Buſineſs. And for that 'Queſtion concerning the Earl of *Newcaſtle*, men-'tioned by his Majeſty, which is ſaid *to have been 'aſked long ſince, and that it is not eaſy to be anſwer-'ed*; we conceive that it is a Queſtion of more Dif-'ficulty, and harder to be anſwered, Why, when 'his Majeſty held it neceſſary, upon the ſame 'Grounds that firſt moved from the Houſes of Par-'liament, that a Governor ſhould be placed in that 'Town, Sir *John Hotham*, a Gentleman of known 'Fortune and Integrity, and a Perſon of whom both 'Houſes of Parliament had expreſſed their Confi-'dence, ſhould be refuſed by his Majeſty; and the 'Earl of *Newcaſtle* (who, by the Way, was ſo far 'named in the Buſineſs of the bringing up of the 'Army, that although there was not Ground 'enough for a judicial Proceeding, yet there was 'Ground of Suſpicion; at leaſt his Reputation was 'not left ſo unblemiſhed thereby, as that he ſhould 'be thought the fitteſt Man in *England* for that 'Employment of *Hull*) ſhould be ſent down, in a

'private

'private Way, from his Majesty, to take upon him 'that Government; and why he should disguise 'himself under another Name, when he came thi- 'ther, as he did?

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'But whosoever shall consider, together with 'these Circumstances, that of the Time when Sir '*John Hotham* was first appointed by both Houses 'of Parliament to take upon him that Employment, 'which was presently after his Majesty's coming to 'the House of Commons, and upon the retiring of 'himself to *Hampton-Court*, and the Lord *Digby*'s 'assembling of Cavaliers at *Kingston* upon *Thames*, 'will find Reason enough why that Town of *Hull* 'should be committed rather to Sir *John Hotham*, 'by the Authority of both Houses of Parliament, 'than to the Earl of *Newcastle*, sent from his Ma- 'jesty in the Manner that he was: And for the 'Power that Sir *John Hotham* has from the 'Houses of Parliament, the better it is known and 'understood, we are confident the more it will be 'approved of and justified. And as we do not con- 'ceive, That, his Majesty's Refusal to have that 'Magazine removed could have any Advantage 'against him to have it taken from him; and as no 'such Thing is done, so we cannot conceive for 'what other Reason any should counsel his Majesty 'not to suffer it to be removed, upon the Desire of 'both Houses of Parliament; except it be that they 'had an Intention to make Use of it against the 'Parliament.

'We did not except against those that presented 'a Petition to his Majesty at *York*, for the Conti- 'nuance of the Magazine at *Hull*, *in respect of* 'their Condition, *or in respect of their Number*, *be- 'cause they were mean Persons*, *or because they were* '*few*; but because they being but a few, and there 'being so many more in the County of as good Qua- 'lity as themselves, (who have, by their Petition 'to his Majesty, disavowed that Act of theirs) that 'they should take upon themselves the Style of *All* '*the Gentry and Inhabitants of that County*; and,

'under

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'under that Style, ſhould preſume to interpoſe their 'Advice contrary to the Votes of both Houſes of 'Parliament; and if it can be made appear that 'any of theſe Petitions, that are ſaid to have been 'preſented to the Houſes of Parliament, *and to have 'been of a ſtrange Nature*, were of ſuch a Nature 'as that before-mentioned, we are confident they 'were never received with our Conſent and Ap-'probation.

'Whether there was an Intention to deprive Sir '*John Hotham* of his Life, if his Majeſty had been 'admitted into *Hull*; and whether the Information 'were ſuch, as that he had Ground to believe it, 'we will not bring it into Queſtion; for that it was 'not, nor ought to have been, the Ground for do-'ing what he did; neither was *the Number of his 'Majeſty's Attendants*, for being more or fewer, 'much conſiderable in this Caſe: For although it 'be true, That if his Majeſty had entered *with 'twenty Horſe only*, he might haply have found 'Means to have forced the Entrance of the reſt of 'his Train, who, being once in the Town, would 'not have been long without Arms; yet, that was 'not the Ground that Sir *John Hotham* was to pro-'ceed upon; but upon the Admittance of the King 'into the Town at all, ſo as to *deliver up the Town 'and Magazine unto him, and to whomſoever he 'ſhould give the Command thereof*, without the 'Knowledge and Conſent of both Houſes of Par-'liament, by whom he was entruſted to the con-'trary; and his Majeſty having declared that to 'be his Intention concerning the Town, in a Meſ-'ſage that he ſent to the Parliament not long be-'fore he went to *Hull*, ſaying, *That he did not 'doubt but that Town ſhould be delivered up to him 'whenſoever he pleaſed, as ſuppoſing it to be kept 'againſt him*; and in like Manner concerning the 'Magazine, in his Meſſage of the 24th of *April*, 'wherein it is expreſſed, *That his Majeſty went thi-'ther with a Purpoſe to take into his Hands the Ma-'gazine, and to diſpoſe of it in ſuch a Manner as he 'ſhould think fit*: Upon theſe Terms Sir *John*

'*Hotham*

'*Hotham* could not have admited his Majesty, and made good his Trust to the Parliament; though his Majesty would have entered alone, without any Attendance at all of his own, or of the Prince or Duke, his Sons; which we do not wish to be less than they are in Number, but could heartily wish they were, generally, better in their Conditions. An. 18. Car. I. 1642. May.

'In the Close of this Message, his Majesty states the Case of *Hull*, and thereupon inferreth, *That the Act of Sir* John Hotham *was levying of War against the King, and consequently that it was no less than High Treason, by the Letter of the Statute of* 25. Edward III. Cap. 2. *unless the Sense of that Statute be very differing from the Letter thereof.*

'In the stating of this Case divers Particulars may be observed, wherein it is not rightly stated; as first, That his Majesty's going to *Hull* was *only an Endeavour to visit a Town and Fort of his*; whereas it was indeed *to possess himself of the Town and Magazine there, and to dispose of them as he himself should think good, without, and contrary to, the Advice and Orders of both Houses of Parliament*; as doth clearly appear by his Majesty's own Declaration of his Intention therein, and by his Messages to both Houses, immediately before and after that Journey. Nor can we believe that any Man, that shall consider the Circumstances of that Journey to *Hull*, can think that his Majesty would have gone thither at that Time, and in that Posture he was pleased to put himself in towards the Parliament, if he had intended only *a Visit to the Town and Magazine. Secondly*, It is said to be *his Majesty's own Town, and his own Magazine*; which being understood in that Sense as was before expressed, as if his Majesty had a private Interest or Property therein, we cannot admit it to be so.

'*Thirdly*, (which is the main Point of all) *Sir* John Hotham *is said to have shut the Gates against his Majesty, and to have made Resistance with armed Men in Defiance of his Majesty*; whereas it was indeed in Obedience to his Majesty and his Authority, and for his Service, and the Service of

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'the Kingdom; for which Use only all that Interest 'is that the King hath in the Town, and it is no farther his, to dispose of, than he useth it for that End. 'And Sir *John Hotham* being commanded to keep 'the Town and Magazine for his Majesty and 'the Kingdom, and not to deliver them up, but 'by *his Majesty's Authority signified by both Houses 'of Parliament*, all that is to be understood by those 'Expressions of his *denying and opposing his Majesty's Entrance, and telling him, in plain Terms, he 'should not come in*, was only this, *That he humbly 'desired his Majesty to forbear his Entrance till he 'might acquaint the Parliament, and that his Authority might come signified to him by both Houses of 'Parliament, according to the Trust reposed in him.* 'And certainly if the Letter of the Statute, of 25. *Edward* III. *Cap.* 2. be thought to import this, 'That no War can be levied against the King, but 'what is directed and intended against his Person; 'or that every levying of Forces, for the Defence 'of the King's Authority, and of his Kingdom, 'against the personal Command of the King opposed 'thereunto, though accompanied with his Presence, 'is levying War against the King, it is very far 'from the Sense of that Statute; and so much the 'Statute itself speaks, besides the Authority of 'Book-Cases, and Precedents of divers Traitors 'condemned upon that Interpretation thereof: For 'if the Clause of levying War had been meant only 'against the King's Person, what Need had there 'been thereof, after the other Branch of Treason, 'in the same Statute, of compassing the King's 'Death, which would necessarily have implied 'this? And because the former Clause doth imply 'this, it seems not at all to be intended in this latter Branch; but only the levying War against the 'King, that is, against his Laws and Authority; and 'the levying War against his Laws and Authority, 'though not against his Person, is levying War 'against the King; but the levying of Force against 'his personal Commands, though accompanied 'with his Presence; and not against his Laws

'and

'and Authority, but in the Maintenance thereof, is An. 18. Car. I.
'no levying of War againſt the King, but for him. 1642.
May.

'Here is then our Caſe: In a Time of ſo many 'ſucceſſive Plots and Deſigns of Force againſt the 'Parliament and Kingdom; in a Time of probable 'Invaſion from abroad, and that to begin at *Hull*, 'and to take the Opportunity of ſeizing upon ſo 'great a Magazine there; in a Time of ſo great 'Diſtance and Alienation of his Majeſty's Affec-'tions from his Parliament, and in them from his 'Kingdom which they repreſent, by the wicked 'Suggeſtions of a few malignant Perſons, by whoſe 'miſchievous Counſels he is wholly led away from 'his Parliament, and their faithful Advice and Coun-'ſels: In ſuch a Time, the Lords and Commons in 'Parliament commanded Sir *John Hotham* to draw 'in ſome of the Train'd Bands of the Parts adja-'cent to the Town of *Hull*, for the ſecuring of that 'Town and Magazine for the Service of his Ma-'jeſty and of the Kingdom; for the Safety whereof 'there is a higher Truſt repoſed in them than any 'where elſe, and they are the proper Judges of the 'Danger thereof.

'This Town and Magazine being intruſted to 'Sir *John Hotham*, with expreſs Orders not to deli-'ver them up but by the King's Authority ſignified 'by both Houſes of Parliament; his Majeſty, con-'trary to the Advice and Direction of both Houſes 'of Parliament, without the Authority of any Court, 'or of any legal Way wherein the Law appoints the 'King to ſpeak and command, accompanied with 'the ſame evil Counſellors about him he had be-'fore, by a verbal Command requires Sir *John Ho-'tham* to admit him into the Town; that he might 'diſpoſe of it, and of the Magazine there, accord-'ing to his own, or rather according to the Plea-'ſure of thoſe evil Counſellors, who are ſtill in ſo 'much Credit about him; in like Manner the 'Lord *Digby* hath continual Recourſe unto, and 'Countenance from, the Queen's Majeſty in *Hol-'land*; by which Means he hath Opportunity ſtill 'to communicate his traiterous Suggeſtions and

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'Conceptions to both their Majesties; such as those 'were concerning *his Majesty's retiring to a Place* 'of Strength, *declaring himself*; *and his own ad-* 'vancing of his Majesty's Service in such a Way be- 'yond the Seas, *and after that resorting to his Ma-* 'jesty in such a Place of Strength; and divers other 'Things of that Nature, contained in his Letter to 'the Queen's Majesty and to Sir *Lewes Dives*; a 'Person that had not the least Part in this late Bu- 'siness of *Hull*, and was presently dispatched away 'into *Holland*, soon after his Majesty's Return from '*Hull:* For what Purpose we leave the World to 'judge.

'Upon the Refusal of Sir *John Hotham* to admit 'his Majesty into *Hull*, presently, without any due 'Process of Law, before his Majesty had sent up the 'Narration of his Fact to the Parliament, he was 'proclaimed Traitor; and yet it is said, *That there-* 'in there was no Violation of the Subjects Right, *nor* 'any Breach of the Law, *nor of the Privilege of* 'Parliament, though Sir *John Hotham* be a Mem- 'ber of the House of Commons; and *that his Ma-* 'jesty must have better Reason than bare Votes to 'believe the contrary. Although the Votes of the 'Lords and Commons in Parliament, being the 'Great Council of the Kingdom, are the Reason 'of the King and of the Kingdom, yet these Votes 'do not want clear and apparent Reason for them: 'For if the solemn proclaiming a Man a Traitor 'signify any Thing, it puts a Man, and all those 'that any way aid, assist, or adhere unto him, in- 'to the same Condition of Traitors, and draws 'upon him all the Consequences of Treason; and 'if this may be done by Law, without due Process 'of Law, the Subject hath a very poor Defence of 'the Law, and a very small, if any, Proportion of 'Liberty thereby: And it is as little Satisfaction to 'a Man that shall be exposed to such Penalties, by 'that Declaration of him to be a Traitor, to say, '*He shall have a legal Trial afterwards*, as it is to 'condemn a Man first and try him afterwards: 'And if there can be a Necessity for any such Pro-

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'claiming a Man a Traitor without due Proceſs of Law, yet there was none in this Caſe; for his Majeſty might have as well expected the Judgment of the Parliament, which was the right Way, as he had Leiſure to ſend to them to demand Juſtice againſt Sir *John Hotham*. And the Breach of Privilege of Parliament is as clear, in this Caſe, as the Subverſion of the Subjects Common Right: For though the Privileges of Parliament do not extend to thoſe Caſes, mentioned in the Declaration, of Treaſon, Felony, and Breach of the Peace, ſo as to exempt the Members of Parliament from Puniſhment, nor from all Manner of Proceſs and Trial, as it doth in other Caſes; yet it doth privilege them in the Way and Method of their Trial and Puniſhment, and that the Parliament ſhould have the Cauſe firſt brought before them, that they may judge of the Fact and of the Grounds of the Accuſation, and how far forth the Manner of their Trial may concern, or not concern, the Privilege of Parliament; otherwiſe it would be in the Power, not only of his Majeſty, but of every private Man, under Pretence of Treaſon, or thoſe other Crimes, to take any Man from his Service in Parliament, and ſo as many, one after another, as he pleaſeth; and, conſequently, to make a Parliament what he will, and when he will; which would be a Breach of ſo eſſential a Privilege of Parliament, as that the very Being thereof depends upon it: And therefore we no ways doubt but every one that hath taken the Proteſtation will, according to his ſolemn Vow and Oath, defend it with his Life and Fortune. Neither doth the Sitting of a Parliament ſuſpend all or any Law, in maintaining that Law which upholds the Privilege of Parliament, which upholds the Parliament, which upholds the Kingdom: And we are ſo far from believing *That his Majeſty is the only Perſon againſt whom Treaſon cannot be committed*, that, in ſome Senſe, we acknowledge he is the only Perſon againſt whom it can be committed; that is, as he is King; and that Treaſon which

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'is againſt the Kingdom is more againſt the King, 'than that which is againſt his Perſon, becauſe he 'is King: For that very Treaſon is not Treaſon as 'it is againſt him as a Man; but as a Man that is 'a King, and as he hath Relation to the Kingdom, 'and ſtands as a Perſon intruſted with the Kingdom, 'and diſcharging that Truſt.

'Now the Caſe is truly ſtated, and all the World 'may judge where the Fault is; although we muſt 'avow, that there can be no competent Judge of this, 'or any the like Caſe, but a Parliament; and we 'are as confident, that his Majeſty ſhall never have 'Cauſe to reſort to any other Court, or Courſe, for 'the Vindication of his juſt Privileges, and for the 'Recovery and Maintenance of his known and un-'doubted Rights, if there ſhould be any Invaſion or 'Violation thereof, than to his High Court of Par-'liament. And in caſe thoſe wicked Counſellors 'about him ſhall drive him into any other Courſe, 'from and againſt his Parliament; whatever are his 'Majeſty's Expreſſions and Intentions, we ſhall 'appeal to all Men's Conſciences, and deſire that 'they would lay their Hands upon their Hearts, and 'think with themſelves, whether ſuch Perſons, as 'have of late, and ſtill do reſort to his Majeſty, and 'have his Ear and Favour moſt, either have been, 'or are more zealous Aſſertors of the true Proteſtant 'Profeſſion, (although we believe they are more 'earneſt in the Proteſtant Profeſſion, than in the 'Proteſtant Religion) or of the Law of the Land, 'the Liberty of the Subject, and the Privileges of 'Parliament, than the Members of both Houſes of 'Parliament, who are inſinuated to be the Deſert-'ers, if not the Deſtroyers, of them: And whether, 'if they could maſter this Parliament by Force, they 'would not hold up the ſame Power to deprive us of 'all Parliaments; which are the Ground and Pillar 'of the Subjects Liberty, and that which only ma-'keth *England* a free Monarchy.

'For the Order of Aſſiſtance to the Committees 'of both Houſes; as they have no Directions or 'Inſtructions, but what have the Law for their Li-

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'mits, and the Safety of the Land for their End; An. 18. Car. I. 1642. May.
'so we doubt not but all Persons mentioned in that
'Order, and all his Majesty's good Subjects will
'yield Obedience to his Majesty's Authority signi-
'fied therein by both Houses of Parliament: And
'that all Men may the better know their Duty in
'Matters of that Nature, and upon how sure a
'Ground they go that follow the Judgment of Par-
'liament for their Guide, we wish them judiciously
'to consider the true Meaning and Ground of that
'Statute, made in the eleventh Year of *Henry* VII.
'*Cap.* 1. which is printed at large in the End of
'his Majesty's Message of the fourth of *May*.——
'This Statute provides, *That none that shall attend*
'*upon the King, and do him true Service, shall be at-*
'*tainted or forfeit any Thing*. What was the Scope
'of this Statute? To provide that Men should not
'suffer as Traitors for serving the King in his Wars,
'according to the Duty of their Allegiance? If this
'had been all, it had been a very needless and ri-
'diculous Statute. Was it then intended, (as they
'may seem to take the Meaning of it to be, that
'caused it to be printed after his Majesty's Message)
'that they should be free from all Crime and Pe-
'nalty who should follow the King, and serve him
'in War, in any Case whatsoever; whether it were
'for or against the Kingdom, and the Laws thereof?
'That cannot be, for that could not stand with the
'Duty of their Allegiance; which, in the Begin-
'ning of this Statute is expressed to be, *to serve the*
'*King for the Time being in his Wars, for the De-*
'*fence of him and the Land*; and therefore if it be
'against the Land, (as it cannot be understood to
'be otherwise, if it be against the Parliament, the
'Representative Body of the Kingdom) it is a De-
'clining from the Duty of Allegiance; which this
'Statute supposeth may be done, though Men
'should follow the King's Person in the War:
'Otherwise there had been no Need of such a Pro-
'viso in the End of this Statute, *That none should*
'*take Benefit thereby, that should decline from their*
'*Allegiance*. That therefore which is the principal

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'View in this Statute, is, *The ſerving of the King for the Time being*; which cannot be meant of a *Perkin Werbeck*, or any that ſhould call himſelf King; but ſuch a one as, whatever his Title might prove, either in himſelf or in his Anceſtors, ſhould be received and acknowledged for ſuch by the Kingdom, the Conſent whereof cannot be diſcerned but by Parliament; the Act whereof is the Act of the whole Kingdom, by the Perſonal Suffrage of the Peers, and the Delegate Conſent of all the Commons of *England:* And *Henry* VII. a wiſe King, conſidering that what was the Caſe of *Richard* III. his Predeceſſor, might, by Chance of Battle, be his own; and that he might at once, by ſuch a Statute as this, ſatisfy ſuch as had ſerved his Predeceſſor in his War, and alſo ſecure thoſe that ſhould ſerve him; who might otherwiſe fear to ſerve him in the Wars, leſt, by Chance of Battle, that might happen to him alſo, (if a Duke of *York* had ſet up a Title againſt him) which had happened to his Predeceſſor, he procured this Statute to be made, *That no Man ſhould be accounted a Traitor for ſerving the King in his Wars for the Time being*; that is, which was for *the preſent allowed and received by the Parliament on Behalf of the Kingdom*; and, as it is truely ſuggeſted in the Preamble of the Statute, it is not agreeable to Reaſon or Conſcience that it ſhould be otherwiſe; ſeeing Men would be put upon an Impoſſibility of knowing their Duty, if the Judgment of the Higheſt Court ſhould not be a Rule and Guide to them: And if the Judgment thereof ſhould be followed, where the Queſtion is, *Who is King?* Much more, *What is the beſt Service of the King and Kingdom?* And therefore thoſe that ſhall guide themſelves by the Judgment of Parliament, ought, whatever happen, to be ſecure and free from all Account and Penalties, upon the Grounds and Equity of this very Statute.

'We ſhall conclude: That although thoſe wicked Counſellors about his Majeſty have preſumed,

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'under his Majesty's Name, to put that Dishonour 'and Affront upon both Houses of Parliament, as 'to make them the Countenancers of Treason; 'enough to have dissolved all the Bands and Sinews 'of Confidence between his Majesty and his Par- 'liament, of whom the Maxim of the Law is, *That 'a dishonourable Thing ought not to be imagined of 'them*; yet we doubt not but it shall, in the End, 'appear to all the World, that our Endeavours 'have been most hearty and sincere, for the Main- 'tenance of the true Protestant Religion, the King's 'just Prerogative, the Laws and Liberties of the 'Land, and the Privileges of Parliament; in which 'Endeavours, by the Grace of God, we will still 'persist, though we should perish in the Work; 'which, if it should be, it is much to be feared, 'That Religion, Laws, Liberties, and Parlia- 'ments, would not be long-lived after us.

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May 27. This Day there was a Report made in the House of Lords, of a Conference held the Day before, in which the Commons desired, That since they were informed of the King's Resolution to remove the next Term to *York*, some Course might be taken to prevent the Removal of the Records, at *Westminster*, to that Place. Agreed to; and an Order was sent to all the Keepers of the Records, for that Purpose.

Orders of Parliament against removing the Records to *York*,

They proposed, That a Committee of Lords might be appointed to join with one of their House, to consider of some fit Means for the present Defence of the Kingdom. A Committee of twelve Lords was appointed accordingly.

They also informed the Lords that they had received Letters from Sir *John Hotham*, and others, by which their Lordships might see the Malignant Party were still working Designs to disturb the Peace of the Kingdom. Then a Letter from Sir *John Hotham* to Mr. *Hampden* was read, dated *May* the twenty-fifth, containing a Design, by one *Beckwith* and others, to surprise the Town of *Hull*; also another from the Mayor of *Beverley*, to the

And for sending for Delinquents.

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same Purpose. Ordered, That Mr. *Beckwith* be sent for as a Delinquent.

The Lords examined several Messengers, sent down to take into Custody the Gentlemen who signed a late Petition to the King, against removing the Magazine from *Hull*.[d] These declared, That they had served them all with the Order, most of them personally; and that those had shewn them the King's Warrant for not obeying that Order. A Copy of one of the Warrants was read as follows:

CHARLES *R.*

The King's Warrant, forbidding Obedience to the latter.

WE strictly charge and command you, Francis Wortley, *Knt. upon your Allegiance, and upon Pain of our heavy Displeasure, not to go or remove out of this County, upon any Occasion or Command whatsoever; but to stay and abide therein, to attend our Service, as we shall direct. And hereby we likewise charge all our Subjects and Officers, of what Quality soever, to forbear arresting or attaching you*, Francis Wortley, *as they will tender our Royal Resentment at their Peril.*

Dated at our Court at *York*, *April* 28, 1642.

The same Day the Commons sent up a Copy of some Instructions to the Committees of both Houses, appointed to go down into *Lincolnshire* and to *Hull*; which were agreed to by the Lords, and were as follow:

INSTRUCTIONS for Sir *Edward Ayscough*, Knt. Sir *Christopher Wray*, Sir *Anthony Irby*, Sir *John Wray*, Sir *William Armyn*, Mr. *Hatcher*, and Mr. *Broxholme*, Committees of the House of Commons assembled in Parliament, or to any three of them.

Further Instructions from the Parliament, to their Commissioners in *Lincolnshire* and at *Hull*.

I. *YOU shall, in the Name of us the Lords and Commons, declare and publish unto the Sheriff of the County of* Lincoln, *the Knights, Gentlemen, and others, his Majesty's Subjects in that County, That Sir*

[d] This Petition, with the Names of the principal Subscribers to it, is in our Tenth Volume, p. 454.

Sir John Hotham *was, by us, commanded to secure the Town of* Kingston *upon* Hull, *and the Magazine there, for his Majesty's Service and the Peace of the Kingdom, which, otherwise, would have been much endangered: And that, upon the same Reason, what hath since been there done by him, hath been necessary in Pursuance of those Directions; and is by us avowed and approved of, as warranted by the Authority of Parliament.* An. 18. Car. I 1642. May.

II. *You shall further take Care, that such Resolutions and Orders of both Houses, as have been, or shall be, sent down, be put in Execution; and shall require the Sheriff, Justices of Peace, and all other his Majesty's Officers and loving Subjects, to be aiding and assisting unto you for that Purpose.*

III. *You shall take Care, that no Forces be raised for the forcing the Town of* Hull, *or otherwise to disturb the Peace of the Kingdom: And, in case any be raised, you shall require the Sheriff, in the Name of both Houses, to command them to disperse themselves; and, if they refuse so to do, that then the Sheriff, by the same Authority, forthwith raise the Power of the County for suppressing of them; and you shall likewise, by the same Authority, require the Lord-Lieutenant, appointed by the Ordinance of Parliament, and, in his Absence, the Deputy-Lieutenants, to draw together the Trained Bands, for the Assistance of the Sheriff in so doing.*

IV. *Because it is not improbable that, under Pretence of raising a Guard for his Majesty's Person, the Knights, Gentlemen, Freeholders, and others of the Inhabitants, may be drawn together in the County of* Lincoln, *as we hear they have been in other Places, you shall declare unto them and all others, That it hath ever been, and still shall be, the chief Care and Endeavour of the Parliament to provide for his Majesty's Safety: That they do not know of any Evil intended to his Royal Person, which should move him to take such a Course: That his greatest Safety is in the Affection, Duty, and faithful Advice of his Parliament: And his greatest Danger in thus withdrawing himself from them, and proceeding in Ways contrary unto*

An. 18. Car. I. 1642. May.

them; so that the disaffected and malignant Party, under Colour of this Service, go about to raise a Faction and a Party against the Parliament; which, at last, may break out into open Rebellion, to the Destruction of the King and People, if it be not (thro' the Blessing of God) prevented by the Wisdom and Authority of Parliament.

V. *That, in Case there be a Necessity of raising the Forces of the County for the suppressing of any Insurrection and keeping the Peace, you shall require Sir* John Hotham *to deliver such Proportion of Arms and Ammunition out of the Magazine at* Hull, *as shall be necessary for that Service; and you shall declare, That the Parliament holds it lawful and necessary to dispose of the public Magazines of the Kingdom, for the Defence of the Kingdom, as likewise for the Suppression of the Rebellion in* Ireland, *which doth so much concern the Safety of this Kingdom: But that it is their Intention, and Resolution, to store them again; as holding it fit that such a Preparation should be in Readiness, upon all Occasions, for the Service of the King and Defence of the Commonwealth.*

VI. *You shall endeavour to clear the Proceedings of the Parliament, from all Imputations and Aspersions; and shall, from Time to Time, certify us of all Things you conceive necessary for the present Service: And, that we may have a speedy Account of it, and that our Directions to you, as well as your Advertisements to us, may have a clear and ready Passage, you shall lay a strict Charge upon all Postmasters, that they do not suffer any Letters, or other Dispatches, to or from the Parliament, to be intercepted or stayed: And, if any shall presume to make such Stay of those Dispatches, you shall direct the Postmasters to repair to the Justices of the Peace, Constables, and all other Officers, for their Aid and Assistance; who are hereby to take special Care there may be no such Interruption.*

VII. *Those of you that are Commissioners for* Hull, *shall repair there, as often as you shall see it needful for the Preservation of that Town.*

VIII. *You shall be careful to require the Lord* Willoughby *of* Parham, *Lord-Lieutenant of the County*

County of Lincoln, *to send such Numbers of the Trained Bands and others, for the Safeguard of the Town of* Hull, *as you shall conceive to be needful; according to the Order made by both Houses in that Behalf.* An. 18. Car. I. 1642. May.

IX. *You shall take the best Courses that may be, that all needful Provisions be sent to the Supply of the Market at* Hull, *as it is usual, without any Stop or Interruption by Water or Land.*

X. *And, if you shall find any disaffected Persons raising any Parties or Factions against the Parliament, or spreading any Scandals or Aspersions upon their Proceedings, like to disturb the Peace of the Kingdom; you shall cause all such Persons, upon good Proof of their Misdemeanors, to be arrested, and sent up to answer their Offences, as to Law and Justice shall appertain.*

XI. *You shall observe and execute all such further Directions and Instructions, as you shall, from Time to Time, receive from both Houses of Parliament.*

XII. *Whereas it doth appear to the Lords and Commons, that the King, seduced by wicked Counsel, intends to make War against the Parliament: Therefore, if any Person whatsoever shall endeavour to levy any Soldiers, or to draw together any of the Trained-Bands, by Colour or Pretence of any Commissions from his Majesty, under the Great Seal or otherwise, you shall require a Copy of such Warrant and Command; and you shall in the Name, and by the Authority, of both Houses of Parliament, require such Persons to forbear the Execution of any such: And you shall command and require all his Majesty's Subjects to forbear to obey any such Command, till you shall have sent up the Copy thereof to the Parliament, and receive further Directions from the Lords and Commons therein: It is also ordered by the Lords and Commons in Parliament, That* Francis *Lord* Willoughby *of* Parham, *Lord-Lieutenant of the County of* Lincoln, *shall be careful, from Time to Time, to supply and relieve the Town of* Hull; *and that, upon any Letter or Request made unto him by Sir* John Hotham, *Knt. and Bart. or any four of the Committee of both Houses there residing.*

XIII.

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XIII. *Whereas, by Order of the Lords and Commons in Parliament, made the 28th Day of* April *last, the Earl of* Stamford, *the Lord* Willoughby *of* Parham, *Sir* Edward Ayscough, *Sir* Christopher Wray, *Sir* Samuel Owfield, *and Mr.* Hatcher, *were appointed to repair to the County of* Lincoln, *and from thence to* Kingston *upon* Hull; *and, if there should be Occasion, to any other Part of* Yorkshire, *for the Performance of certain Instructions therein expressed, as by that Order, and Instructions thereunto annexed, doth and may appear: It is this Day ordered, That the former Order above-mentioned shall continue in Force, and that Sir* William Strickland, *Mr.* Allured, *Mr.* John Hotham, *Mr.* Peregrine Pelham, *and Mr.* Wharton, *shall be added to the former Committee; and that the said Earl of* Stamford, *the Lord* Willoughby *of* Parham, *Sir* Edward Ayscough, *Sir* Christopher Wray, *Sir* Samuel Owfield, *Mr.* Hatcher, *Sir* William Strickland, *Mr.* Allured, *Mr.* John Hotham, *Mr.* Peregrine Pelham, *and Mr.* Wharton, *or any four of them, shall have full Power to put the said forementioned Order and Instructions into Execution: As likewise the Instructions under-written, and all other Instructions which they shall hereafter receive from both Houses of Parliament.*

1st, *They shall assist Sir* John Hotham, *Knt. and Bart. Governor of* Hull, *with their best Counsel and Advice, and by all other Means, for the safe Keeping of that Town for the Security of the King and Kingdom, in such Manner as shall be requisite.*

2dly, *They shall take Care to write to the Lord Lieutenant of* Lincolnshire, *to send into* Hull, *for the Defence thereof, such further Supplies of Trained-Bands and others, as they find needful for the Preservation of the Town.*

3dly, *They shall be careful, That the Remainder of the Magazine, thought fit to be stayed there, for the Defence of that Town, be preserved from Wastes and Embezzling; and that a perfect Account shall be kept of whatsoever Arms, Powder, or Ammunition, shall*

shall be taken out by Warrant from the Governor, and how the same is employed. An. 18. Car. I. 1642. May.

4thly, *If the Ships laden with the Magazine be not gone, you are to hasten it as much as may be, and you shall require the Captains of the other two Ships appointed for the better Security of* Hull *to remain there, and diligently to attend their Charge: And you shall let those Captains know, as likewise the other Officers and the Companies of the said Ships, how well their Readiness in the Service of the King and Kingdom is taken by both Houses of Parliament, and you shall give them therein all due and fit Encouragement.*

5thly, *Whereas there was, heretofore, an Order made, That* 500 *Arms, half of them Pikes and Corslets, and the other half Muskets, borrowed of the County of* Lincoln, *and employed in his Majesty's Service at* Berwick, *should be restored out of the Magazine at* Hull, *accoraing to his Majesty's Promise and Direction in that Behalf:*

6thly, *You shall desire Sir* John Hotham *to give present Order that the like Number of Arms, that is,* 250 *Pikes and Corslets, and* 250 *Muskets, with Swords and other Furniture appertaining to so many Pikes, Corslets, and Muskets, shall be forthwith delivered to such Person, or Persons, as shall be appointed by the Lord-Lieutenant of the County of* Lincoln, *or any two of the Deputy-Lieutenants thereof.*

A Committee appointed to consider of Means to prevent a Civil War.

In the Afternoon of this Day (*May* 27) a Message was brought up from the House of Commons, to desire that the Joint-Committee, before appointed to consider of proper Means for the present Defence of the Kingdom, might have Power to take into Consideration all Things to procure and preserve the Peace thereof, and to prevent a Civil War. Agreed to by the Lords: —— Accordingly,

The next Day the Earl of *Northumberland*, from the said Committee, exhibited a Draught of some Propositions, fit to be presented to the King; which were commanded to be read, and some Alterations were made in them. They were then but fourteen in all, but being sent down to the Commons, they were

An. 18. Car. I. 1642. were by them increaſed to nineteen Articles, as will be ſhewn in their proper Place.

May. An Order was agreed to by both Houſes, directed to the Sheriffs and others of the ſeveral Counties, within 150 Miles of *York*, to take Care to ſtop all Arms and Ammunition carrying to that Place. Likewiſe another to ſuppreſs the Raiſing and Coming together of any Soldiers, Horſe or Foot, by any Warrant, Order, or Commiſſion, from the King, *&c.* The Preamble to theſe Orders begins thus: *Whereas it appears that the King, ſeduced by wicked Counſel, intends to make War againſt his Parliament, and, under Colour of a Guard, doth command Troops, both of Horſe and Foot, to aſſemble at* York, *&c.* [e]

Orders to ſtop all Arms and Ammunition going to *York*.

May 30. The Lords were informed by the Lord-Admiral, That he had received a Letter from the Earl of *Warwick*, by the Captains of the Ships which brought the Magazine from *Hull* to *London*, that the ſaid Captains deſire to be diſcharged from any further Care of it; and he moved that a Warrant might be granted for receiving the ſaid Magazine into the *Tower*. The Captains were called in, and, after having the Thanks of the Lords, for their Care and Diligence in this Matter, they were recommended, with their Seamen, to the Commons, for ſome Gratuity, to encourage others to do the like.

The Magazine of *Hull* brought to *London*.

A Petition from the Lord-Keeper *Littleton* was read, which was in theſe Words:

To the Right Honourable the LORDS aſſembled in Parliament,

The HUMBLE PETITION of EDWARD LITTLETON, Lord-Keeper of the Great Seal,

Sheweth,

Lord Keeper *Littleton*'s Petition to the Lords.

THAT in his Perſon he is very willing to ſubmit to your Lordſhips Order of the twenty-third of this Inſtant May, *ſo far as it is poſſible for him to perform*

[e] Theſe Orders are at Length in *Ruſhworth*, Vol. IV. p. 721, 2, and in *Huſbands's Collections*, p. 399, *&c.*

form, he being in ſo weak a Condition of Body, as appears by the Affidavit annex'd, that he is not able to travel towards Weſtminſter *without Danger of his Life: And further beſeecheth your Lordſhips to be informed of this Truth, That* Saturday *laſt, about Two o'Clock in the Afternoon, was the firſt Time that he ever heard of his going to* York; *when he received his Majeſty's Commands, under his Sign Manual and Privy Signet, to take his Journey immediately, without Reply or Delay, towards* York, *and keep the ſame ſecret, whereunto he was enjoined upon his Allegiance and Fidelity, and other Obligations; which he taking into his Conſideration, with his Oaths formerly taken, conceived he was bound in Conſcience to obey; and doth humbly beg your Lordſhips Pardon for not aſking Leave, which he could not poſſibly do, the Houſe not ſitting till* Monday, *and himſelf enjoined to take his Journey inſtantly. And he further taketh the Boldneſs to inform your Lordſhips, That the King's Majeſty hath expreſly commanded him, upon his Allegiance, not to depart from him. And, laſtly, beſeecheth your Lordſhips to continue him in your good Opinion untill he ſhall adviſe, or conſent unto, any Thing againſt the public Good of this Commonwealth; and he ſhall daily pray for your Lordſhips Increaſe of Happineſs.* [f]

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EDW. LITTLETON.

The AFFIDAVIT *above referred to.*

'TObias *Peaker*, Servant to the Lord Keeper, 'maketh Oath, That upon *Monday* Night laſt, 'being the 23d Day of this Inſtant *May*, he con-'ceived that his Lord would then have died; and 'that he is at preſent troubled with divers Infirmi-'ties and Diſeaſes, ſo that he is not able to travel 'without endangering of his Life.'

The Conſideration of this Petition was deferred to another Time.

Then

[f] The Allegations in this Petition, compared with the foregoing Narrative of what paſs'd between the Lord-Keeper and Mr. *Hyde*, previous to their Journey to *York*, fully evidence his Lordſhip to have been no bad Politician.

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Then the Lord *Wharton*, Speaker of the Houſe of Peers in the Abſence of the Lord-Keeper, acquainted the Lords that he had received a Letter from the King, commanding him to communicate the incloſed to them; which was an Anſwer to a Petition of both Houſes, concerning the diſbanding of his Guard, which had been preſented to him at *York*, *May* 22, along with thoſe Votes of both Houſes, wherein it was declared, That the King intended to make War againſt the Parliament.—— The Anſwer was in theſe Words:

The King's Anſwer to the Parliament's Petition for diſbanding his Guard.

'WE cannot but extremely wonder, that the cauſeleſs Jealouſies concerning us, raiſed and fomented by a Malignant Party in this Kingdom, which deſires nothing more than to ſnatch to themſelves particular Advantages out of a general Combuſtion, (which Means of Advantage ſhall never be miniſtered to them by our Fault or Seeking) ſhould not only be able to ſeduce a weak Party in this our Kingdom, but ſeem to find ſo much Countenance even from both Houſes; as that our raiſing of a Guard, without further Deſign than for the Safety of our Perſon, (an Action ſo legal, in Manner ſo peaceable, upon Cauſes ſo evident and neceſſary) ſhould not only be looked upon, and petitioned againſt by them, as a Cauſe of Jealouſy, but declared to be the raiſing of a War againſt them, contrary to our former Profeſſions of our Care of Religion and Law. And we no leſs wonder, that this Action of ours ſhould be ſaid (in a very large Expreſſion) *to be apprehended by the Inhabitants of this Country, as an Affrightment and Diſturbance to our People*, having been as well received here, as it is every where to be juſtified; and (we ſpeak now of the general, not of a few ſeduced Particulars) aſſiſted and ſped by this Country, with that loyal Affection and Alacrity as is a moſt excellent Example ſet to the reſt of the Kingdom, of their Care of our Safety upon all Occaſions; and ſhall never be forgotten by us, nor, we hope, by our Poſterity; but ſhall be ever paid

'paid to them in that which is the proper Expreſ- An. 18. Car. I.
'ſion of a Prince's Gratitude, a perpetual vigilant 1642.
'Care to govern them juſtly, and to preſerve the May.
'only Rule by which they can be ſo governed, the
'Law of the Land. And we are confident that,
'if you were yourſelves Eye-Witneſſes, you would
'ſo ſee the contrary, as to give little preſent Thanks,
'and hereafter little Credit, to your Informers:
'And if you have no better Intelligence of the In-
'clinations and Affections of the reſt of the King-
'dom, certainly the Minds of our People (which
'to ſome Ends and Purpoſes you repreſent) are but
'ill repreſented unto you.

'Have you, ſo many Months together, not con-
'tented yourſelves to rely for Security, (as your
'Predeceſſors have done) upon the Affection of the
'People; but, by your own ſingle Authority, raiſed
'to yourſelves a Guard, and that ſometimes of no
'ordinary Numbers, and in no ordinary Way; and
'could not all thoſe Pikes and Proteſtations, that
'Army on one Side, and that Navy on the other,
'perſuade us to command you to diſband your
'Forces, and to content yourſelves with your ordi-
'nary (that is, with no) Guard; or work in us an
'Opinion, that you appeared to levy War againſt
'us, or had any further Deſign? And is it poſſible
'that the ſame Perſons ſhould be ſo apt to ſuſpect
'and condemn us, who have been ſo unapt, in the
'ſame Matter, (upon much more Ground) to tax
'or ſuſpect them? This is our Caſe, notwithſtand-
'ing the Care and Fidelity of our Parliament; our
'Fort is kept by armed Men againſt us; our pro-
'per Goods, firſt detained from us, and then, con-
'trary to our Command, by ſtrong Hand, offered
'to be carried away; in which, at once, all our
'Property, as a private Perſon, and all our Au-
'thority, as a King, are wreſted from us: And
'yet for us to ſecure ourſelf in a legal Way, that
'Sir *John Hotham* may not, by the ſame Forces, or
'by more raiſed by Pretence of the ſame Authority,
'(for they ſay he raiſeth daily ſome, and we know
'it no new Thing for him to pretend Orders that

'he

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'he cannot shew) continue the War that he hath 'levied against us, and as well imprison our Per- 'son, as detain our Goods; and as well shut us up 'in *York*, as shut us out of *Hull*, is said to be *esteem- 'ed a Cause of great Jealousy to the Parliament*; *a 'raising War against them*; *and of Danger to the 'whole Kingdom*; while these Injustices and Indig- 'nities offered to us are countenanced by them, 'who ought to be most forward in our Vindication 'and their Punishment, in Observance of their 'Oaths, and of the Trust reposed in them by the 'People, and to avoid the Dissolution of the present 'Government: Upon which Case the whole World 'is to judge, whether we had not Reason, not 'wholly to rely upon the Care and Fidelity of our 'Parliament, (being so strangely blinded by ma- 'lignant Spirits, as not to perceive our Injuries) 'but to take some Care of our own Person; and, 'in order to that, to make Use of that Authority 'which the Laws declare to be in us: And whe- 'ther this Petition, with such a threatening Con- 'clusion, accompanied with more threatening Votes, 'gives us not Cause rather to increase than diminish 'our Guard; especially since we saw, before the 'Petition, a printed Paper, dated the 17th of *May*, 'underwritten, *Hen. Elsing*, *Cler. Parl. D. Com.* 'commanding, in the Name of both Lords and 'Commons, the Sheriffs of all our Counties to 'raise the Power of all those our Counties; to sup- 'press such of our Subjects, as, by any of our Com- 'mands, shall be drawn together, and put (as that 'Paper calls it) in a Posture of War; charging our 'Officers and Subjects to assist them in the Perform- 'ance thereof, at their Perils: For tho' we cannot 'suspect that this Paper (or any bare Votes, not 'grounded upon Law or Reason, or Quotation of 'repealed Statutes) should have any ill Influence 'upon our good People; who know their Duties 'too well, not to know, That to take up Arms 'against those, who, upon a legal Command, (that 'is, ours) come together to a most legal End (that 'is, our Security and Preservation) were to levy War

'against

'against us; and who appear in this County (and 'we are confident they are so throughout the King- 'dom) no less satisfied with the Legality, Con- 'veniency, and Necessity of these our Guards, and 'no less sensible of the Indignities and Dangers 'which makes it necessary, than we are ourself; 'yet if that Paper be really the Act of both Houses, 'we cannot look upon it but as the highest of 'Scorns and Indignities; first, to issue Commands 'of Force against us, and, after those have ap- 'peared useless, to offer, by Petition, to persuade 'us to that which that Force should have effected. An. 18. Car. I. 1642. May.

'We conclude this Answer to your Petition, 'with our Counsel to you, That you join with us 'in exacting Satisfaction for that unparallel'd, and 'yet unpunished, Action of Sir *John Hotham*; 'and that you command our Fort and Goods to be 'returned to our own Hands: That you lay down 'all Pretences (under Pretence of Necessity, or de- 'claring what is Law) to make Laws without us, 'and, by Consequence, make a Cypher of us: 'That you declare effectually against Tumults, 'and call in such Pamphlets (punishing the Authors 'and Publishers of them) as, seditiously, endeavour 'to disable us from protecting our People; by weak- 'ening, by false Aspersions, and new false Doc- 'trines, our Authority with them, and their Confi- 'dence in us. The Particulars of which Tumults 'and Pamphlets we would, long since, have taken 'Care that our learned Counsel should have been 'enabled to give in Evidence, if, upon our former 'Offer, we had received any Return of Encourage- 'ment from you in it. And if you do this, you 'then (and hardly till then) will persuade the 'World, *That you have discharged your Duty to 'God, the Trust reposed in you by the People, and the 'Fundamental Laws and Constitutions of the King- 'dom, and employed your Care and utmost Power to 'secure the Parliament*, (for we are still a Part of the 'Parliament, and shall be, till this well-founded 'Monarchy be turned to a Democracy) *and to*

'pre-

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'*preſerve the Peace and Quiet of the Kingdom*; 'which, together with the Defence of the Proteſtant 'Profeſſion, the Laws of the Land, and our own 'juſt Prerogative, (as a Part of and a Defence to 'thoſe Laws) have been the main End, which, in 'our Conſultations and Actions, we propoſed to 'ourſelf.'

The ſame Day Mr. *Pickering*, a Meſſenger, declared, upon Oath, what Lords he ſaw at *York*, and what he met going thither [g]; on which it was ordered, That the ſaid Lords ſhould be ſent for to appear here, on the 8th Day of *June* next, or elſe the Houſe would proceed to give Judgment againſt them for their Offence.

May 31. Both the Houſes had been buſy ſome Time, in putting into Execution their Ordinance for raiſing the Militia, in all the Southern Counties of *England*; and they, every Day, received Intelligence of the different Muſters made of them. Several Accounts of which are in this Day's Tranſactions of the Lords, but nothing elſe of Moment done by them.

A Committee appointed to borrow Money of the Citizens of *York*.

The Commons being ſtill in great Diſtreſs for Want of Money, it was this Day ordered, That a Meſſage be ſent to the Lords, to deſire that a Committee of both Houſes might be appointed to go to the City, and repreſent to them the great Neceſſity they were in, at this Time, for preſent Money; to inform them of the Sum required, and the Security for it; and to deſire that theſe Neceſſities might be recommended to the particular Wards of the City. Ordered, alſo, That ſome Members of this Houſe be ſent to the Lord-Mayor, to deſire him to call a Common-Hall, to meet on *Thurſday* next, the ſecond of *June*.

June

g The Earls of *Monmouth* and *Devonſhire*, the Lords *Grey de Ruthyn*, *Howard de Charlton*, and *Capel*, after having entered their Diſſents againſt the Declaration of the 26th of *May*, left the Houſe, and join'd the King at *York*. The Names of the other Lords who had gone off ſome Time before, appears by the foregoing Liſt.

June 1. At a Conference, the Commons exhibited an Order they had made againſt the Pawning or Selling the Jewels of the Crown: To this the Lords agreed; an Abſtract of which is as follows: An. 18. Car. I. 1642. June.

Order of Parliament againſt the King's diſpoſing of the Jewels of the Crown.

'Whereas it doth appear to the Lords and Commons in Parliament, That the King, ſeduced by 'wicked Counſel, doth intend to levy War againſt 'his Parliament; and that the Jewels of the Crown, 'which, by the Laws of the Land ought not to be 'alienated, are either pawned or ſold in *Amſterdam*, or ſome other Parts abroad; and thereby 'great Sums of Money provided, to be returned to '*York*, to the King's Servants, or Agents, for his 'Uſe: And whereas it is more than probable, that 'this great Proviſion of Money, in ſuch an extraordinary Way, is to maintain their intended War, 'and thereby to bring the whole Kingdom into utter Ruin and Confuſion: It is therefore declared, 'by the Lords and Commons in Parliament, that 'whoſoever hath been, or ſhall be, an Actor in the 'Selling or Pawning any of the ſaid Jewels, or ſhall 'bring any Money in Specie into the Kingdom, or 'ſhall accept of any Bill from abroad, for the Payment of any Sum of Money for or upon any of 'thoſe Jewels, and ſhall pay ſuch Sum according to 'ſuch Bill, after Notice of this Order, *&c.* ſuch 'Perſon ſhall be held a Promoter of this preſent 'War, and an Enemy to the State; and ought to give 'Satisfaction, out of his own Eſtate, to the Public.'

Ordered, alſo, that the Lord-Admiral be required to ſend two Ships of War to lie at *Scarbrough* and *Tinmouth*, to ſearch all Ships for Arms and Ammunition, coming from foreign Parts without Conſent and Privity of both Houſes of Parliament.

A Committee of Lords and Commons were ordered to go to the Common-Hall of the City, as this Day, for a conſiderable Loan of Money from the Citizens; the Sum not mentioned.

This Day, alſo, a Petition, with Nineteen Propoſitions annexed, was agreed on, by both Houſes,

An. 18. Car. I. 1642. June. to be sent to their Committee at *York*, to be by them presented to the King, as a Foundation for a final End of all Differences between them. All which ran *in hæc Verba:*

The HUMBLE PETITION *and* ADVICE *of both Houses of* PARLIAMENT, *with Nineteen* PROPOSITIONS *sent unto his* MAJESTY, *the third of* June, 1642.

Their Nineteen Propositions to the King.

'YOUR Majesty's most humble and faithful Subjects, the Lords and Commons in Parliament, having nothing in their Thoughts and Desires more precious and of higher Esteem (next to the Honour and immediate Service of God) than the just and faithful Performance of their Duty to your Majesty and this Kingdom; and being very sensible of the great Distractions and Distempers, and of the imminent Dangers and Calamities which those Distractions and Distempers are like to bring upon your Majesty and your Subjects: All which have proceeded from the subtle Insinuations, mischievous Practices and evil Counsels of Men disaffected to God's true Religion, your Majesty's Honour and Safety, and the Public Peace and Prosperity of your People; after a serious Observation of the Causes of those Mischiefs, do, in all Humility and Sincerity, present to your Majesty their most dutiful Petition and Advice, That out of your princely Wisdom, for the establishing your own Honour and Safety, and gracious Tenderness of the Welfare and Security of your Subjects and Dominions, you will be pleased to grant and accept these their humble Desires and Propositions; as the most necessary and effectual Means, thro' God's Blessing, of removing those Jealousies and Differences which have unhappily fallen betwixt you and your People, and procuring both your Majesty and them a constant Course of Honour, Peace, and Happiness.

I. *That the Lords and others of your Majesty's Privy Council, and such great Officers and Ministers of*

of State, either at home or beyond the Seas, may be put from your Privy Council, and from those Offices and Employments, excepting such as shall be approved of by both Houses of Parliament; and that the Persons put into Places and Employments of those that are removed, may be approved of, by both Houses of Parliament; and that all Privy Counsellors shall take an Oath for the due Execution of their Places, in such Form as shall be agreed upon by both Houses of Parliament. An. 18. Car. I. 1642. June.

II. *That the great Affairs of the Kingdom may not be concluded or transacted by the Advice of private Men, or by any unknown or unsworn Counsellors; but that such Matters as concern the Public, and are proper for the High Court of Parliament, which is your Majesty's great and supreme Council, may be debated, resolved, and transacted only in Parliament, and not elsewhere; and such as shall presume to do any Thing to the contrary, shall be reserved to the Censure and Judgment of Parliament: And such other Matters of State as are proper for your Majesty's Privy Council, shall be debated and concluded by such of the Nobility and others as shall, from Time to Time, be chosen for that Place, by Approbation of both Houses of Parliament. That no public Act concerning the Affairs of the Kingdom, which are proper for your Privy Council, may be esteemed of any Validity, as proceeding from the Royal Authority, unless it be done by the Advice and Consent of the major Part of your Council, attested under their Hands: And that your Council may be limited to a certain Number, not exceeding twenty-five, nor under fifteen; and if any Counsellor's Place happen to be void in the Intervals of Parliament, it shall not be supplied without the Assent of the major Part of the Council; which Choice shall be confirmed at the next Sitting of the Parliament, or else to be void.*

III. *That the Lord High Steward of* England, *Lord High Constable, Lord Chancellor or Lord Keeper of the Great Seal, Lord Treasurer, Lord Privy Seal, the Earl Marshal, Lord Admiral, Warden of the* Cinque-Ports, *Chief Governor of* Ireland,

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Chancellor of the Exchequer, Master of the Wards, Secretaries of State, two Chief Justices and Chief Baron, may be always chosen with the Approbation of both Houses of Parliament; and, in the Intervals of Parliament, by Assent of the major Part of the Council, in such Manner as is before expressed in the Choice of Counsellors.

IV. *That he, or they, unto whom the Government and Education of the King's Children shall be committed, shall be approved of by both Houses of Parliament; and, in the Intervals of Parliament, by the Assent of the major Part of the Council, in such Manner as is before expressed in the Choice of Counsellors: And that all such Servants as are now about them, against whom both Houses shall have any just Exception, shall be removed.*

V. *That no Marriage shall be concluded or treated, for any of the King's Children, with any foreign Prince, or other Person whatsoever abroad, or at home, without the Consent of Parliament; under the Penalty of a Premunire unto such, as shall so conclude or treat any Marriage as aforesaid. And that the said Penalty shall not be pardoned or dispensed with, but by the Consent of both Houses of Parliament.*

VI. *That the Laws in Force against Jesuits, Priests, and Popish Recusants, be strictly put in Execution, without any Toleration or Dispensation to the contrary; and that some more effectual Course may be enacted, by Authority of Parliament, to disable them from making any Disturbance in the State, or eluding the Law by Trusts, or otherwise.*

VII. *That the Votes of Popish Lords in the House of Peers may be taken away, so long as they continue Papists; and that his Majesty would consent to such a Bill as shall be drawn, for the Education of the Children of Papists by Protestants in the Protestant Religion.*

VIII. *That your Majesty will be pleased to consent, That such a Reformation may be made of the Church-Government and Liturgy, as both Houses of Parliament shall advise, wherein they intend to have Consultations with Divines, as is expressed in the Declaration to that Purpose; and that your Majesty will con-*

contribute your best Assistance to them for the raising of a sufficient Maintenance for preaching Ministers throughout the Kingdom: And that your Majesty will be pleased to give your Consent to Laws for the taking away of Innovations and Superstition, and of Pluralities, and against scandalous Ministers. An. 18. Car. I. 1642. June.

IX. *That your Majesty will be pleased to rest satisfied with that Course that the Lords and Commons have appointed for ordering the Militia, untill the same shall be further settled by a Bill; and that you will recall your Declarations and Proclamations against the Ordinance made by the Lords and Commons concerning it.*

X. *That such Members of either House of Parliament as have, during this present Parliament, been put out of any Place and Office, may either be restored to that Place and Office, or otherwise have Satisfaction for the same, upon the Petition of that House whereof he or they are Members.*

XI. *That all Privy Counsellors and Judges may take an Oath, the Form whereof to be agreed on, and settled by Act of Parliament, for the Maintaining of the Petition of Right, and of certain Statutes made by the Parliament, which shall be mentioned by both Houses of Parliament: And that an Inquiry of all the Breaches and Violations of those Laws may be given in Charge, by the Justices of the King's-Bench, every Term, and by the Judges of Assize in their Circuits, and Justices of Peace at the Sessions, to be presented and punished according to Law.*

XII. *That all the Judges and all Officers, placed by Approbation of both Houses of Parliament, may hold their Places,* Quamdiu bene se gesserint.

XIII. *That the Justice of Parliament may pass upon all Delinquents, whether they be within the Kingdom, or fled out of it: And that all Persons cited by either House of Parliament, may appear and abide the Censure of Parliament.*

XIV. *That the General Pardon, offered by your Majesty, may be granted with such Exceptions as shall be advised by both Houses of Parliament.*

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XV. *That the Forts and Caſtles of this Kingdom may be put under the Command and Cuſtody of ſuch Perſons, as your Majeſty ſhall appoint, with the Approbation of your Parliament; and, in the Intervals of Parliament, with the Approbation of the major Part of the Council, in ſuch Manner as is before expreſſed in the Choice of Counſellors.*

XVI. *That the extraordinary Guards, and Military Forces, now attending your Majeſty, may be removed and diſcharged; and that, for the future, you will raiſe no ſuch Guards, or extraordinary Forces, but, according to the Law, in caſe of actual Rebellion or Invaſion.*

XVII. *That your Majeſty will be pleaſed to enter into a more ſtrict Alliance with the States of the* United Provinces, *and other neighbouring Princes and States of the Proteſtant Religion, for the Defence and Maintenance thereof againſt all Deſigns and Attempts of the Pope and his Adherents to ſubvert and ſuppreſs it; whereby your Majeſty will obtain a great Acceſs of Strength and Reputation, and your Subjects be much encouraged and enabled, in a Parliamentary Way, for your Aid and Aſſiſtance, in reſtoring your Royal Siſter and her Princely Iſſue to thoſe Dignities and Dominions which belong unto them, and relieving the other diſtreſſed Proteſtant Princes who have ſuffered in the ſame Cauſe.*

XVIII. *That your Majeſty will be pleaſed, by Act of Parliament, to clear the Lord* Kimbolton *and the five Members of the Houſe of Commons, in ſuch Manner that future Parliaments may be ſecured from the Conſequence of that evil Precedent.*

XIX. *That your Majeſty will be graciouſly pleaſed to paſs a Bill,* For reſtraining Peers made hereafter from ſitting or voting in Parliament, *unleſs they be admitted thereunto with the Conſent of both Houſes of Parliament.*

'And theſe our humble Deſires being granted by 'your Majeſty, we ſhall forthwith apply ourſelves 'to regulate your preſent Revenue, in ſuch Sort 'as

'as may be for your beſt Advantage; and likewiſe 'to ſettle ſuch an ordinary and conſtant Increaſe 'of it as ſhall be ſufficient to ſupport your Royal 'Dignity in Honour and Plenty, beyond the Pro- 'portion of any former Grants of the Subjects of 'this Kingdom to your Majeſty's Royal Predeceſ- 'ſors. We ſhall likewiſe put the Town of *Hull* 'into ſuch Hands as your Majeſty ſhall appoint, 'with the Conſent and Approbation of Parliament, 'and deliver up a juſt Account of all the Magazine; 'and chearfully employ the uttermoſt of our Power 'and Endeavour, in the real Expreſſion and Per- 'formance of our moſt dutiful and loyal Affections, 'for preſerving and maintaining the Royal Honour, 'Greatneſs, and Safety of your Majeſty and of 'your Poſterity.'

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June 2. Nothing but a private Cauſe heard in the Houſe of Lords.

The Commons ordered all their Members to be ſummoned to appear in the Houſe by the 16th of this Month, under a Penalty of 100 *l.* for each Abſenter, to be employed in the Wars of *Ireland*. Their Committee at *York* were alſo required to order all the Members who were there, without Leave of the Houſe, to return to their Duty in Parliament; and to declare to them, That their Going away at this Time, and Continuance at *York*, is a great Affront to the Houſe, and a Countenancing of the War intended againſt the Parliament.

The Commons order all their Members to be ſummoned.

June 3. The Committee ſent into the City to borrow Money, for the Service of *Ireland*, reported, That the Citizens expreſſed great Chearfulneſs and Forwardneſs to further the Supply, and had promiſed to raiſe 100,000 *l.* with all Speed.

The Earls of *Northumberland* and *Pembroke* exhibited Letters from the King, commanding their Attendance on him at *York*; which the Lords thought proper to forbid, and ordered them the Thanks

And the Lords forbid any of theirs going to the King.

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Thanks of the Houſe for their Reſpect in this Matter. A Declaration was alſo ordered to be drawn up, ſetting forth the evil Tendency of the King's ſending for ſeveral of the Lords to *York*; with the ill Conſequences and Dangers thereof.

Bill paſſed for calling an Aſſembly of Divines.

This Day, alſo, the Lords read, a third Time, a Bill, *For the Calling an Aſſembly of learned Divines, to be conſulted with by Parliament, for the Settling the Government and Liturgy of the Church, and for the Vindicating and Clearing the Doctrines of the Church of* England *from falſe Aſperſions and Interpretations.* On the Queſtion, reſolved, That the Bill do paſs.

The Parliament borrow 100000 *l.* from the Citizens of *London*.

June 4. An Ordinance of Parliament, as a Security to ſeveral Companies and Citizens of the City of *London*, for their late Loan of 100,000 *l.* at 8 *per Cent.* was agreed to by the Lords; which has this Preamble:

'Whereas, amongſt many other great and unexpreſſible Bleſſings of Almighty God upon this Parliament, it hath pleaſed him to ſtir up the Hearts of many good and well-affected People, to yield their willing and ready Help and Aſſiſtance to the Supply of the great and preſſing Neceſſities of this Kingdom and the Kingdom of *Ireland*; in which pious and charitable Work the Citizens of *London*, by their ſingular Forwardneſs and good Affection, have been exemplary to all other Parts of this Kingdom; and, in Times of great Exigence and Neceſſity, have lent and advanced great Sums to the Public Uſe; and, as well by their Purſes and Perſons as other memorable Services, contributed their effectual Help to the Parliament, for the Support of this State and Kingdom from apparent Danger and Deſtruction: And whereas the ſaid Citizens, in further Manifeſtation of their conſtant Fidelity and true Affection to the Public, have now again been moved to lend, &c.

An

An Order was made for the Earl of *Warwick*, and all Sea Officers and Commanders under him, to ſearch all Sorts of Veſſels on the *Iriſh* Coaſts, ſuſpected to carry any Supplies of Men, Money, Ammunition, Victuals, Cloaths, &c. to ſupply the bloody and barbarous Rebels in that Kingdom.

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An Order to ſtop all Supplies for the *Iriſh* Rebels,

And, further to preſerve the Peace of this Kingdom, the following Ordinance of Parliament was this Day agreed to, by which may be underſtood the Reſolutions of both Houſes at this Time:

DIE SABBATI, 4^to^ *Junii*, 1642.

'IT is this Day ordered by the Lords and Commons in Parliament, That the Deputy-Lieutenants of the ſeveral and reſpective Counties, within the Kingdom of *England* and Dominion of *Wales*, that are not Members of the Houſe of Commons, be hereby required and enjoined to be preſent at the Days and Places, which are or ſhall hereafter be appointed by the Lord-Lieutenants, or their Deputies, for the Training, Muſtering, and Exerciſing of the Inhabitants of the ſaid Counties; according to the Authority given unto them by an Ordinance of both Houſes of Parliament.

And for exerciſing the Militia.

'And it is further ordered that all Deputy-Lieutenants, as well thoſe that are Members of the Houſe of Commons as others, ſhall give ſuch Diſpatch by preparing of Warrants, Commiſſions, or Letters, and ſubſcribing of the ſame, as the Service ſhall require: And for ſuch as ſhall refuſe, or neglect ſo to do, that their Names be certified unto us by their Fellow-Deputies, or any one of them, that ſhall or do perform the ſaid Service.

'And it is further declared, That it is the Intention of both Houſes, for the better Encouragement of ſo good a Work, ſo much conducing to the Safety of his Majeſty's Perſon and Kingdoms, that ſome of their Members, at the Times and Places appointed, or to be appointed, for the Exe-

'cution

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About this Time the King published his Answer to the Parliament's Remonstrance of the 26th of *May* last; which was as follows:

The King's Answer to the Parliament's Remonstrance of the 26th of *May*. ‘THough whosoever looks over the late Remonstrance, intituled, *A Declaration of the Lords and Commons of the 26th of* May, will not think we have much Reason to be pleased with it; yet we cannot but commend the plain Dealing and Ingenuity of the Framers and Contrivers of that Declaration, (which hath been wrought in a hotter and quicker Forge than any of the rest) who would no longer suffer us to be affronted, by being told, *They would make us a Great and Glorious King*, whilst they used all possible Skill to reduce us to extreme Want and Indigency; and that *They would make us to be loved at home, and feared abroad*, whilst they endeavoured, by all possible Ways to render us odious to our good Subjects, and contemptible to all foreign Princes; but, like round-dealing Men, tell us in plain *English*, *That they have done us no Wrong, because we are not capable of receiving any*; and *That they have taken nothing from us, because we had never any Thing of our own to lose*. If this Doctrine be true, and that indeed we ought to be of no other Consideration than they have informed our People in that Declaration, that Gentleman is much more excusable, that said publickly (unreproved) *That the Happiness of this Kingdom doth not depend on us, or upon any one of the Royal Branches of that Root*; and the other, who said, *We were not worthy to be King of* England: Language very monstrous to be allowed by either House of Parliament, and of which, by the Help of God and the Law, we must have some Examination. But we doubt not, all our good Subjects do now plainly discern, through the Mask and Vizard of their Hypocrisy, ‘what

'what their Design is; and will no more look upon the Framers and Contrivers of that Declaration as both Houses of Parliament, (whose Freedom and just Privileges we will always maintain, and in whose Behalf we are as much slandered as for ourself) but as a Faction of Malignant, Schismatical, and Ambitious Persons, whose Design is, and always hath been, to alter the whole Frame of Government, both of Church and State, and to subject both King and People to their own lawless arbitrary Power and Government; of whose Persons, and of whose Design, we shall, within a very short Time, give our good Subjects and the World a full, and, we hope, a satisfactory Narration.

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'The Contrivers and Penners of that Declaration (of whom we would be only understood to speak, when we mention any of their undutiful Acts against us) tell you, *That the great Affairs of this Kingdom, and the miserable and bleeding Condition of the Kingdom of* Ireland, *will afford them little Leisure to spend their Time in Declarations, Answers, and Replies.* Indeed the miserable and deplorable Condition of both Kingdoms would require somewhat else at their Hands: But we would gladly know how they have spent their Time since their Recess, (now almost eight Months) but in Declarations, Remonstrances, and Invectives against us and our Government, or in preparing Matter for them. Have we invited them to any such Expence of Time, by beginning Arguments of that Nature? Their Leisure, or their Inclination, is not as they pretend: And what is their Printing and Publishing their Petitions to us, their Declarations and Remonstrances of us, their odious Votes and Resolutions, sometimes of one, and sometimes of both Houses, against us, (never in this Manner communicated before this Parliament) but an Appeal to the People? And, in God's Name, let them judge of the Persons they have trusted.

'Their first Quarrel is (as it is always, to let them into their frank Expressions of us and our Actions)

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'Actions) againſt the Malignant Party, whom they 'are pleaſed ſtill to call, and never to prove to be, 'our evil Counſellors; but, indeed, nothing is more 'evident by their whole Proceedings, than that by 'the Malignant Party they intend all the Members 'of both Houſes, who agree not with them in their 'Opinion, (hence have come their Diſtinction of 'good and bad Lords, of Perſons ill affected in the 'Houſe of Commons, who have been proſcribed, 'and their Names liſted and read in Tumults) and 'all the Perſons of the Kingdom, who approve not 'of their Actions: So that if, in Truth, they would 'be ingenuous, and name the Perſons they intend, 'Who would be the Men, upon whom that Impu-'tation of Malignity would be caſt, but they who 'have ſtood ſtoutly and immutably for the Reli-'gion, the Liberties, the Laws, for all public In-'tereſts, ſo long as there was any to be ſtood for: 'They, who have always been, and are as zealous 'Profeſſors, and, ſome of them, as able and earneſt 'Defenders of the Proteſtant Doctrine againſt the 'Church of *Rome*, as any are; who have often 'and earneſtly beſought us to conſent, *That no in-'different and unneceſſary Ceremony might be preſſed 'upon weak and tender Conſciences*, and, *That we 'would agree to a Bill for that Purpoſe:* They, 'to whoſe Wiſdom, Courage, and Counſel the 'Kingdom oweth as much as it can to Subjects; 'and upon whoſe unblemiſhed Lives Envy itſelf can 'lay no Imputation, nor endeavoured to lay any, 'untill their Virtues brought them to our Know-'ledge and Favour? Let the Contrivers of this De-'claration be faithful to themſelves, and conſider 'all thoſe Perſons of both Houſes, whom they, in 'their own Conſciences, know to diſſent from them 'in the Matter and Language of that Declaration, 'and in all thoſe undutiful Actions, of which we 'complain; and will they not be found in Honour, 'Fortune, Wiſdom, Reputation, and Weight (if 'not in Number) much ſuperior to them? So much 'for the evil Counſellors: Now, what is the evil 'Counſel itſelf? Our coming from *London*, (where

'we,

'we, and many whoſe Affections to us are very 'eminent, were in Danger every Day to be torn in 'Pieces) to *York*; where we, and all ſuch who 'will put themſelves under our Protection, may 'live (we thank God, and the Loyalty and Affec- 'tion of this good People) very ſecurely: Our not 'ſubmitting ourſelf abſolutely (and renouncing our 'own Underſtanding) to the Votes and Reſolutions 'of the Contrivers of that Declaration, when they 'tell us, *They are above us, and may* (by our own 'Authority) *do with us what they pleaſe*; and our 'not being contented, that all our good Subjects 'Lives and Fortunes ſhall be diſpoſed of by their 'Votes, but by the known Law of the Land: This 'is the evil Counſel given and taken. And will not 'all Men believe there needs much Power and Skill 'of the Malignant Party to infuſe this Counſel into 'us? And now to apply the Argument the Contri- 'vers of that Declaration make for themſelves: Is 'it probable or poſſible, ſuch Men whom we have 'mentioned (who muſt have ſo great a Share in the 'Miſery) ſhould take ſuch Pains in the procuring 'thereof, and ſpend ſo much Time, and run ſo many 'Hazards, to make themſelves Slaves, and to ruin 'the Freedom of this Nation? We ſay, with a clear 'and upright Conſcience to God Almighty, Who- 'ſoever harbours the leaſt Thought in his Breaſt of 'ruining or violating the public Liberty or Religion 'of this Kingdom, or the juſt Freedom and Privilege 'of Parliament, let him be accurſed; and he ſhall 'be no Counſellor of ours that will not ſay, Amen. 'For the Contrivers of that Declaration, we have 'not ſaid any Thing which might imply any Incli- 'nation in them to be Slaves: That which we have 'charged them with, is invading the public Liberty; 'and our Preſumption may be very ſtrong and ve- 'hement, that (though they have no Mind to be 'Slaves) they are not unwilling to be Tyrants: 'What is Tyranny, but to admit no Rule to go- 'vern by but their own Wills? And we know the 'Miſery of *Athens* was at the higheſt, when it ſuf- 'fered under the thirty Tyrants.

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'If

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'If that Declaration had told us (as indeed it 'might, and as, in Juſtice, it ought to have done) 'that the Precedents of any of our Anceſtors did fall 'ſhort and much below what hath been done by us, 'this Parliament, in Point of Grace and Favour to 'our People, we ſhould no otherwiſe have wonder-'ed at it, than at ſuch a Truth, in ſuch a Place: 'But when, to juſtify their having done more than 'ever their Predeceſſors did, it tells our good Sub-'jects (as moſt injuriouſly, moſt inſolently it doth) '*That the higheſt and moſt unwarrantable Precedents* '*of any of our Predeceſſors do fall ſhort, and much* '*below what hath been done to them this Parliament* '*by us*, we muſt confeſs ourſelf amazed, and not 'able to underſtand them: And we muſt tell thoſe 'ungrateful Men (who dare tell their King, *That* '*they may, without Want of Modeſty and Duty, de-*'*poſe him*) that the Condition of our Subjects, when '(by whatſoever Accidents and Conjunctures of 'Time) it was at the worſt, under our Power, (unto 'which, by no Default of ours, they ſhall be ever 'again reduced) was, by many Degrees, more 'pleaſant and happy, than that to which their furi-'ous Pretence of Reformation hath brought them: 'Neither are we afraid of the higheſt Precedents of 'other Parliaments, which theſe Men boldly (our 'good Subjects will call it worſe) tell us, *They might,* '*without want of Modeſty and Duty, make their* '*Patterns:* If we had no other Security againſt thoſe 'Precedents, but their Modeſty and Duty, we were 'in a miſerable Condition, as all Perſons will be 'who depend upon them.

'That Declaration will not allow our Inference, '*That, by avowing the Act of Sir* John Hotham, '*they do deſtroy the Title and Intereſt of all our Sub-*'*jects to their Lands and Goods*; but confeſſeth, *if* '*they were found guilty of that Charge, it were in-*'*deed a very great Crime:* And do they not, in this 'Declaration, admit themſelves guilty of this very 'Crime? Do they not ſay, *Who doubts but that a* '*Parliament may diſpoſe of any Thing, wherein we* '*or our Subjects have a Right, in ſuch a Way as*

'*that*

'*that the Kingdom may not be in Danger thereby?* An. 18. Car. I.
'Do they not then call themſelves This Parliament, 1642.
'and challenge this Power without our Conſent? June.
'Do they not extend this Power to all Caſes, where
'the Neceſſity, or the Common Good, of the King-
'dom is concerned? And do they not arrogate unto
'themſelves alone the Judgment of this Danger, this
'Neceſſity, this Common Good of the Kingdom?
'What is, if this be not, to unſettle the Security of
'all Men's Eſtates, and to expoſe them to an arbi-
'trary Power of their own? If a Faction ſhall at any
'Time, by Cunning or Force, Abſence or Accident,
'prevail over a major Part of both Houſes; and
'pretend that they are Evil Counſellors, a Malig-
'nant Party about the King, by whom the Liberty
'and Religion of the Kingdom are both in Danger,
'(this they may do; they have done it) then they
'may take away, be it from the King or People,
'whatſoever they, in their Judgment, ſhall think fit:
'This is lawful; they have declared it ſo. Let the
'World judge, whether we charge them unjuſtly,
'and whether they are not guilty of the Crime,
'which themſelves confeſs, being proved, is a great
'one; and how ſafely we might commit the Power
'theſe People deſire into their Hands, who, in all
'Probability, would be no ſooner poſſeſſed of it,
'than they would revive that Tragedy which Mr.
'*Hooker* relates of the Anabaptiſts in *Germany*; who,
'talking of nothing but Faith, and of the true Fear
'of God, and that Riches and Honour were Vanity,
'at firſt, upon the great Opinion of their Humility,
'Zeal, and Devotion, procured much Reverence
'and Eſtimation with the People; after, finding
'how many Perſons they had enſnared with their
'Hypocriſy, they began to propoſe to themſelves to
'reform both the Eccleſiaſtical and Civil Govern-
'ment of the State; then, becauſe poſſibly they
'might meet with ſome Oppoſition, they ſecretly
'enter'd into a League of Aſſociation; and, ſhortly
'after, finding the Power they had gotten with the
'credulous People, enriched themſelves with all Kind
'of Spoil and Pillage, and juſtified it upon our Savi-
'our's

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'our's Promiſe, *The Meek ſhall inherit the Earth*; 'and declared their Title was the ſame which the 'righteous *Iſraelites* had unto the Goods of the 'wicked *Egyptians:* This Story is worth the read-'ing at large, and needs no Application.

'But we muſt by no Means ſay, That we have 'the ſame Title to our Town of *Hull*, and the Am-'munition there, as any of our Subjects have to their 'Lands or Money; that is a Principle that pulls up 'the Foundation of the Liberty and Property of 'every Subject. Why pray? *Becauſe the King's 'Property in his Towns, and in his Goods, bought 'with the Public Money* (as they conceive our Ma-'gazine at *Hull* was) *is inconſiſtent with the Subjects 'Property in their Lands, Goods, and Liberty:* Do 'theſe Men think, That as they aſſume a Power of 'declaring Law, and whatſoever contradicts that 'Declaration breaks their Privileges; ſo that they 'have a Power of declaring Senſe and Reaſon, and 'impoſing Logic and Syllogiſms on the Schools, as 'well as Law upon the People? Doth not all Man-'kind know, that ſeveral Men may have ſeveral 'Rights and Intereſts in the ſelf-ſame Houſe and 'Land, and yet neither deſtroy the other? Is not 'the Intereſt of the Lord Paramount conſiſtent with 'that of the Meſne Lord, and his with that of the 'Tenant, and yet their Properties and Intereſts not 'at all confounded? And why may not we then have 'a full lawful Intereſt and Property in our Town of '*Hull*, and yet our Subjects have a Property in their 'Houſes too? But we *cannot ſell or give away, at 'our Pleaſure, our Towns and Forts, as a private 'Man may do his Land or Goods.* What then? 'Many Men have no Authority to let or ſet their 'Leaſes, or ſell their Land; have they therefore no 'Title to them, or Intereſt in them? May they be 'taken from them, becauſe they cannot ſell them? 'The Purpoſe of our Journey to *Hull* was neither 'to ſell it, or give it away.

'But for the Magazine and the Munition there, 'that we bought with our own Money, we might 'ſurely have ſold that, lent, or given it away. No;

'we

'we bought it with the Public Money; and the An. 18. Car. I. 1642.
'Proof is, They conceive it ſo; and, upon this Con- June.
'ceit, have vôted, That it ſhall be taken from us.
'Excellent Juſtice! Suppoſe we had kept this Mo-
'ney by us, and not bought Arms with it, would
'they have taken it from us upon that Conceit?
'Nay, may they not whereſoever this Money is
'(for through how many Hands ſoever it hath paſ-
'ſed, it is the Public Money ſtill, if ever it were)
'ſeize it and take it from the Owners? But the
'Towns, Forts, Magazines, and Kingdom are in-
'truſted to us, and we are a Perſon truſted. We
'are ſo, God and the Law hath truſted us, and we
'have taken an Oath to diſcharge that Truſt for the
'Good and Safety of our People: What Oaths they
'have taken we know not, unleſs thoſe which, in
'this Violence, they have manifeſtly and maliciouſly
'violated. May any Thing be taken from a Man
'becauſe he is truſted with it? Nay, may the Per-
'ſon himſelf take away the Thing he truſts, when
'he will, and in what Manner he will? The Law
'hath been otherwiſe, and we believe will be ſo
'held, notwithſtanding their Declarations.

'But this Truſt ought to be managed by their
'Advice, and the Kingdom hath truſted them for
'that Purpoſe: Impoſſible! That the ſame Truſt
'ſhould be irrevocably committed to us and our
'Heirs for ever, and the ſame Truſt, and a Power
'above that Truſt (for ſuch is the Power they pre-
'tend) be committed to others: Did not the People
'that ſent them look upon them as a Body but
'Temporary, and diſſoluble at our Pleaſure: And
'can it be believed, that they intended them for
'our Guardians and Comptrollers in the managing
'of that Truſt, which God and the Law hath
'granted to us and our Poſterity for ever? What
'the Extent of their Commiſſion and Truſt is, no-
'thing can better teach them, than the Writ where-
'by they are met. We called them (and without
'that Call they could not have come together) to
'be our Counſellors, not Commanders; (for how-

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'ever they frequently confound them, the Offices 'are several) and Counsellors, not in all Things, 'but in some Things, *De Quibusdam arduis, &c.* 'And they will easily find amongst their Precedents, 'that Queen *Elizabeth* (upon whose Time all good 'Men look with Reverence) committed one *Went-* 'worth, a Member of the House of Commons, to 'the Tower, sitting the House, only for proposing 'That they might advise the Queen in a Matter she 'thought they had nothing to do to meddle in[1]. But 'we are trusted: And are we the only Person trust- 'ed? And may they do what their own Inclination 'and Fury leads them to? Were not they trusted 'by us, when we first sent for them; and were 'they not trusted by us, when we passed them our 'Promise that we would not dissolve them? Can it 'be presumed (and Presumptions go far with them) 'that we trusted them with a Power to destroy us, 'and to dissolve our Government and Authority? 'If the People might be allowed to make an equi- 'table Construction of the Laws and Statutes, (a 'Doctrine avowed by them) would not all our 'good Subjects swear we never intended, by that 'Act of Continuance, that they should do what 'they have since done? Were they not trusted by 'those that have sent them? And were they trusted 'to alter the Government of Church and State, and 'to make themselves perpetual Dictators over the 'King and People? Did they intend that the Law 'itself should be subject to their Votes, and that 'whatsoever they say or do, should be lawful be- 'cause they declare it so? The Oaths which they 'have taken who sent them, and without taking 'which themselves are not capable of their Place 'in Parliament, makes the one uncapable of giving, 'and the other of receiving, such a Trust; unless 'they persuade our good Subjects, That we are the 'only Supreme Head and Governor in all Causes, 'and over all Persons, within our Dominions; and 'yet that they have a Power over us to constrain 'us

[1] This Affair is recited at large in our Fourth Volume.

'us to manage our Truſt, and govern our Power 'according to their Diſcretion.

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'The Contrivers of that Declaration tell us, 'That they will never allow us (an humble and dutiful Expreſſion) *to be judge of the Law*; *that belongs only to them*; *they may and muſt judge and declare*. We all know what Power the Pope, under the Pretence of interpreting Scriptures, and declaring Articles of Faith (tho' he declines the making the one or the other) hath uſurped over Men's Conſciences; and that, under Colour of having Power of ordering all Things for the Good of Men's Souls, he intitles himſelf to all the Kingdoms in the World. We will not accuſe the Framers of this Declaration (how bold ſoever they are with us) that they incline to Popery; of which another Maxim is, *That we muſt ſubmit our Reaſon and Underſtanding, and the Scripture itſelf, to that Declaring Power of his*: Neither will we tell them, tho' they have told us ſo, That they uſe the very Language of the Rebels of *Ireland*: And yet they ſay thoſe Rebels declare, *That whatſoever they do, is for the Good of the King and Kingdom*. But our good Subjects will eaſily put the Caſe to themſelves, Whether, if the Papiſts in *Ireland* in Truth were, or by Act or Accident had made themſelves, the Major Part of both Houſes of Parliament there, and had pretended the Truſt (in that Declaration) from the Kingdom of *Ireland*; and thereupon had voted their Religion and Liberty to be in Danger of Extirpation from a Malignant Party of Proteſtants and Puritans; and therefore that they ſhould put themſelves into a Poſture of Defence; that the Forts and Militia of that Kingdom were to be put into the Hands of ſuch Perſons as they could confide in: That we were indeed truſted with the Towns, Forts, Magazines, Treaſures, Offices, and People of the Kingdom, for the Good, and Safety, and beſt Advantage thereof; but as this Truſt is for the Uſe of the Kingdom, ſo it ought to be managed by the Advice of both Houſes of Parliament, whom

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'the Kingdom had truſted for that Purpoſe; it be-
'ing their Duty to ſee it diſcharged according to
'the Condition and true Intent thereof, and, by all
'poſſible Means, to prevent the contrary. We
'ſay, let all our good Subjects conſider, if that
'Rebellion had been plotted with this Formality,
'and thoſe Circumſtances declared to be legal, (at
'leaſt, according to the equitable Senſe of the Law)
'and to be for the Public Good, and juſtifiable by
'Neceſſity; (of which they were the only Judges)
'whether, though they might have thought their
'Deſign the more cunning, they would believe it
'the more juſtifiable? Nay, let the Framers of
'this Declaration aſk themſelves, If the Evil Coun-
'ſellors, the Maligant Party, the Perſons ill-affect-
'ed, the Popiſh Lords, and their Adherents ſhould
'prove now, or hereafter, to be a Major Part of
'both Houſes, (for it hath been declared a great
'Part of both Houſes have been ſuch, and ſo might
'have been the greater: Nay, that the greater
'Part of the Houſe of Peers was ſuch, and we
'have not heard of any of their Converſions; and
'thereupon it hath been earneſtly preſſed, That
'the Minor Part of the Lords might join with the
'Major Part of the Houſe of Commons) were we
'bound to conſent to all ſuch Alterations as theſe
'Men ſhould propoſe to us, and reſolve to be for
'the Public Good; and muſt the Liberty, Property,
'and Security of our Subjects depend on what ſuch
'Votes ſhould declare to be Law? Was the Or-
'dinance of the Militia unfit and unlawful, whilſt
'the Major Part of the Lords refuſed to join in it;
'(as they did two, if not three, ſeveral Times;
'and it was never heard, before this Parliament,
'that they ſhould be ſo, and ſo often, preſſed after
'a Diſſent declared) and did it grow immediately
'neceſſary for the Public Safety, and lawful by the
'Law of the Land, as ſoon as ſo many of the
'diſſenting Peers were driven away, (after their
'Names had been required at the Bar, contrary to
'the Freedom and Foundation of Parliaments) that
'the other Opinion prevailed? Doth the Life and

Li-

'Liberty of the Subject depend upon such Acci- An. 18. Car. I.
'dents of Days and Hours, that it is impossible for 1642.
'him to know his Right in either? God forbid. June.

'But now, to justify their Invasion of our antient, 'unquestioned, undoubted Right, settled and esta- 'blished on us and our Posterity by God himself; 'confirmed and strengthened by all possible Titles 'of Compacts, Laws, Oaths, perpetual and un- 'contradicted Custom by our People, what have 'they alledged *to declare to the Kingdom* (as they 'say) *the Obligation that lyeth upon the Kings of this 'Realm to pass all such Bills as are offered unto them 'by both Houses of Parliament?* (a Thing never 'heard of till this Day) an Oath (Authority enough 'for them to break all theirs) that is, or ought to 'be, taken by the Kings of this Realm, which is, 'as well to remedy by Law such Inconveniences the 'Kingdom may suffer as to keep and protect the 'Laws already in being; and the Form of this Oath '(they say) appears upon a Record there cited, and 'by a Clause in the Preamble of a Statute made in 'the Twenty-fifth Year of King *Edward* the 'Third.

'We are not enough acquainted with Records 'to know, whether that be fully and ingenuously ci- 'ted, and when, and how, and why the several 'Clauses have been inserted in, or taken out of, the 'Oaths formerly administred to the Kings of this 'Realm; yet we cannot possibly imagine the Asser- 'tion, that Declaration makes, can be deduced 'from the Words, or the Matter of that Oath; for, 'unless they have a Power of declaring *Latin* as well 'as Law, surely *Elegerit* signifieth, *hath chosen*, as 'well as, *will chuse*; and that it signifieth so here '(besides the Authority of the perpetual Practice of 'succeeding Ages, a better Interpreter than their 'Votes) is evident by the Reference it hath to 'Customs; *Consuetudines quas Vulgus elegerit*; and 'could that be a *Custom* which the People *should 'chuse after this Oath taken*, and should a King be 'sworn to defend such Customs? Besides, can it be 'imagined that he should be bound by Oath to pass

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'such Laws (and such a Law is the Bill they brought 'to us of the Militia) as should put the Power, 'wherewith he is trusted, out of himself into the 'Hands of other Men; and so divest and disable him 'of all possible Power to perform the great Business 'of the Oath, which is to protect them? If we give 'away all our Power, or if it be taken from us, we 'cannot protect any Man: And what Discharge 'would it be for us, either before God or Man, '(when our good Subjects, whom God and the 'Law hath committed to our Charge, shall be wor-'ried and spoiled) to say, *That we trusted others to* 'protect them; that is, to do that Duty for us, which 'is essentially and inseparably our own. But, that 'all our good Subjects may see how faithfully these 'Men (who assume this Trust from them) desire to 'discharge their Trust, we shall be contented to 'publish for their Satisfaction (a Matter notorious 'enough, but which we ourself never thought to 'have been put to publish, and which the Framers 'of that Declaration might as well have made use 'of as a *Latin* Record they knew many of our good 'Subjects could not, and many of themselves do not, 'understand) the Oath itself we took at our Coro-'nation, warranted and enjoined to it by the Cus-'tom and Directions of our Predecessors; and the 'Ceremony of their and our taking it, as they 'may find it in the Records of the Exchequer: 'This it is.

"The Sermon being done, the Archbishop go-"eth to the King and asks his Willingness to take "the Oath usually taken by his Predecessors.

"The King sheweth himself willing, ariseth and "goeth to the Altar; the Archbishop adminis-treth "these Questions, and the King answers them se-"verally.

"Episcopus. *Sir, will you grant and keep, and, "by your Oath, confirm to the People of* England *the "Laws and Customs to them granted by the Kings of* England *your lawful and religious Predecessors; "and, namely, the Laws, Customs, and Franchises*

"*granted*

" *granted to the Clergy, by the glorious King St.* An. 18. Car. I.
" Edward, *your Predeceſſor, according to the Laws* 1642
" *of God, the true Profeſſion of the Goſpel eſtabliſhed* June.
" *in this Kingdom, and agreeable to the Prerogative*
" *of the Kings thereof, and the antient Cuſtoms of*
" *this Realm?*

" *Rex.* I grant, and promiſe to keep them.

" Epiſcopus. *Sir, will you keep Peace and godly*
" *Agreement entirely, according to your Power, both*
" *to God, the holy Church, the Clergy, and the*
" *People?*

" *Rex.* I will keep it.

" Epiſcopus. *Sir, will you, to your Power, cauſe*
" *Law, Juſtice, and Diſcretion, in Mercy and*
" *Truth, to be executed in all your Judgments?*

" *Rex.* I will.

" Epiſcopus. *Sir, will you grant to hold and*
" *keep the Laws and rightful Cuſtoms which the Com-*
" *monalty of this your Kingdom have; and will you*
" *defend and uphold them to the Honour of God, ſo*
" *much as in you lieth?*

" *Rex.* I grant, and promiſe ſo to do.

" Then one of the Biſhops reads this Admoni-
" tion to the King, before the People, with a loud
" Voice.

" *Our Lord and King, we beſeech you to pardon,*
" *and to grant, and to preſerve unto us, and to the*
" *Churches committed to our Charge, all canonical*
" *Privileges, and due Law and Juſtice; and that*
" *you would protect and defend us, as every good*
" *King, in his Kingdom, ought to be Protector and*
" *Defender of the Biſhops, and the Churches under*
" *their Government.*

" The King anſwereth,

" *With a willing and devout Heart I promiſe and*
" *grant my Pardon, and that I will preſerve and*
" *maintain to you, and the Churches committed to*
" *your Charge, all canonical Privileges, and due Law*
" *and Juſtice; and that I will be your Protector and*
" *Defender, to my Power, by the Aſſiſtance of God, as*
" *every good King, in his Kingdom, in right ought to*
" *pro-*

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" *protect and defend the Bishops, and Churches under* " *their Government.*

" Then the King ariseth, and is led to the Com-" munion Table, where he makes a solemn Oath, " in Sight of all the People, to observe the Pre-" misses; and, laying his Hand upon the Book, " saith,

" *The Things which I have before promised I shall* " *perform and keep: So help me God and the Contents* " *of this Book.*"

' Now, let all the World judge, whether such ' Doctrine, or such Conclusions, as these Men ' teach, can follow, or have the least Pretence from ' this Oath.

' For the Preamble of the Statute they cite, that ' tells us, *That the King is bound to remedy, by Law,* ' *the Mischiefs and Damages which happen to his* ' *People.* He is so: But is the King bound by the ' Preamble of that Statute, to renounce his own ' Judgment, his own Understanding, in these Mis-' chiefs, and of those Remedies? How far forth he ' is obliged to follow the Judgment of his Parlia-' ment, that Declaration still confesseth to be a ' Question. Without Question none can take upon ' them to remedy, even Mischiefs, but by Law, for ' Fear of greater Mischiefs than those they go about ' to remedy.

' *But we are bound in Justice to consent to their* ' *Proposals, because there is a Trust reposed in us to* ' *preserve the Kingdom, by making new Laws.* We ' are glad there is so, then we are sure no new Laws ' can be made without our Consent; and that the ' Gentleness of our Answer, *Le Roy s'avisera*, if it ' be no Denial, is no Consent, and then the Matter ' is not great. They will allow us yet a greater ' Latitude, *of granting and denying, as we shall think* ' *fit, in public Acts of Grace, as Pardons, or the like* ' *Grants of Favour.* Why do they so? If these Par-' dons and public Acts of Grace be for the public ' Good, (which they may vote they are) they ' will then be absolutely in their own Disposal,

' But

'But have they left us this Power? They have sure at least shared it with us: How else have they got the Power to pardon Serjeant-Major-General *Skippon*, (a new Officer of State, and a Subject we have no Authority to send to speak with) and all other Persons employed by them, and such as have employed themselves for them, not only for what they have done, but for what they shall do? If they have Power to declare such Actions to be no Treason, which we would not pardon, and such Actions to be Treason, which need no Pardon, the Latitude they allow us, of granting or denying of Pardons, is a Jewel they may still be contented to suffer us to wear in our Crown, and never think themselves the more in Danger. An. 18. Car. I. 1642. June.

'All this considered, the Contriver of that Message, (since they will afford him no better Title) whom they are angry with, doth not conceive the People of this Land to be so void of Common Sense as to believe us (who have denied no one Thing for the Ease and Benefit of them, which in Justice or Prudence could be asked, or in Honour and Conscience could be granted) to have cast off all Care of our Subjects Good; and the Framers and Devisers of that Declaration (who have endeavoured to render us odious to our Subjects, and them disloyal to us, by pretending such a Trust from them) to have only taken it up: Neither, we are confident, will they be satisfied, when they feel the Misery and the Burdens which the Fury and the Malice of those People will bring upon them, with being told that Calamity proceeds from evil Counsellors, whom Nobody can name; from Plots and Conspiracies, which no Man can discover; and from Fears and Jealousies, which no Man understands: And therefore that the Consideration of it be left to the Conscience, Reason, Affection, and Loyalty of our good Subjects, who do understand the Government of this Kingdom, we are well content.

'Where will the Folly and Madness of these People end, who would have our People believe,

'That

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'That our abſenting ourſelf from *London*, (where 'with our Safety, we could not ſtay) and the con-'tinuing our Magazine at *Hull*, proceeds from 'the ſecret Plots of the Papiſts here, and to 'advance the Deſigns of the Papiſts in *Ireland?* 'But it is no Wonder that they, who can believe 'Sir *John Hotham*'s ſhutting us out of *Hull* to be an 'Act of Affection and Loyalty, will believe that the '*Papiſts* or the *Turks* perſuaded us to go thither.

'And can any ſober Man think that Declaration 'to be the Conſent of either or both Houſes of Par-'liament, unaltered either by Fraud or Force, 'which (after ſo many Thanks and humble Ac-'knowledgement of our gracious Favour in our 'Meſſage of the 20th of *January*, ſo often and ſo 'unanimouſly preſented unto us from both Houſes 'of Parliament) tells us, *That the Meſſage at firſt 'was, and, as often as it hath been ſince mentioned by 'us, hath been a Breach of Privilege*; (of which 'they uſed not to be ſo negligent, as, in four 'Months, not to complain, if ſuch a Breach had 'been) *and that the Way and Method of proceeding 'ſhould not be propoſed to them*; as if we had only 'Authority to call them together, none to tell them 'what they were to do, not ſo much as with Re-'ference to our own Affairs: What their Method 'hath been, and whither it hath led them, and 'brought the Kingdom, all Men ſee; what ours 'would have been, if ſeaſonably and timely applied 'unto, let all Men judge: We will ſpeak no more 'of it.

'But ſee now what excellent Inſtances they have 'found out to prove an Inclination, if not in us, in 'ſome about us, to a Civil War: *Their going with 'us to the Houſe of Commons*; (ſo often urged, and 'ſo fully anſwered) *their attending on us to* Hamp-'ton-Court, *and appearing in a warlike Manner at* 'Kingſton *upon* Thames; *our going to* Hull; *their 'drawing their Swords at* York, *demanding*, Who 'would be for the King; *the declaring Sir* John 'Hotham *Traitor, before the Meſſage ſent to the Par-'liament*; *the Propoſitions to the Gentry in* York-'ſhire

'shire *to assist us against him, before we had received an Answer from the Parliament:* All desperate Instances of an Inclination to a Civil War! Examine them again: The Manner and Intent of our going to the House of Commons, we set forth at large in our Answer to their Declaration of the 19th of *May*; let all Men judge. Next, Do these Men themselves believe (to what Purpose soever that Rumour hath served their Turns) that there was an Appearance in warlike Manner at *Kingston* upon *Thames?* Do they not know that whensoever we have been at *Hampton-Court*, since our first coming to the Crown, there was never a less Appearance, or in a less warlike Manner than at the Time they mean. We shall say no more, but that our Appearance, in a warlike Manner at *Kingston* upon *Thames*, and theirs at *Kingston* upon *Hull*, is very different. What is meant by the drawing of Swords at *York*, and demanding, Who would be for the King, must be inquired at *London*, for we believe very few in *York* understand the Meaning of it: For our going to *Hull*, (which they will by no Means endure should be call'd a Visit) whether it were not the Way to prevent, rather than to make a Civil War, is very obvious. And the declaring Sir *John Hotham* a Traitor, in the very Act of his Treason, will never be thought unseasonable, but by those who believe him to be a loving and loyal Subject; no more than the endeavouring to make the Gentlemen of this County sensible of that Treason (which they are in an honourable and dutiful Degree) before we received our Answer from both Houses of Parliament; For if they had been (as we expected they should have been) sensible of that intolerable Injury offered to us, might not we have had Occasion to have used the Affection of these Gentlemen? Were we sure that Sir *John Hotham*, who had kept us out without their Order, (we speak of a public Order) would have let us in when they had bidden him? And if they had not such a Sense of us, (as the Case falls out to be) had we

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not

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'not more Reaſon to make Propoſitions to thoſe 'Gentlemen, whoſe Readineſs and Affection we, 'or our Poſterity, ſhall never forget.

'But this Buſineſs of *Hull* ſticks ſtill with them, 'and finding our Queſtions hard, they are pleaſed 'to anſwer us by aſking us other Queſtions: No 'Matter for the Exceptions againſt the Earl of '*Newcaſtle*, (which have been ſo often urged as one 'of the principal Grounds of their Fears and Jea-'louſies, and which drew that Queſtion from us) 'they aſk us, *Why, ſince we held it neceſſary that a 'Governor ſhould be placed in* Hull, *Sir* John Hotham '*ſhould be refuſed by us, and the Earl of* Newcaſtle '*ſent down?* We anſwer, Becauſe we had a better 'Opinion of the Earl of *Newcaſtle* than of Sir '*John Hotham*; and deſired to have ſuch a Gover-'nor over our Towns, (if we muſt have any) as 'ſhould keep them for, and not againſt, us: And 'if his going down were in a more private Way 'than Sir *John Hotham*'s, it was becauſe we had 'not that Authority to make a Noiſe, by levying 'and billeting of Soldiers, in a peaceable Time, 'upon our good Subjects, as it ſeems Sir *John Ho-'tham* carried down with him. And the Imputa-'tion which is caſt by the way upon that Earl, to 'make his Reputation not ſo unblemiſhed as we con-'ceiv'd, and the World believes it to be, and which, 'tho' it was not Ground enough for a judicial Pro-'ceeding, (it is Wonder it was not) was yet Ground 'enough of Suſpicion, muſt be the Caſe of every 'Subject in *England*, (and we wiſh it went no high-'er) if every vile Aſperſion, contrived by unknown 'Hands, upon unknown or unimaginable Grounds, 'which is the Way practiſed to bring any virtuous 'and deſerving Men into Obloquy, ſhall receive 'the leaſt Credit or Countenance in the World.

'They tell us their Exception to thoſe Gentle-'men, who delivered their Petition to us at *York*, 'was, *That they preſumed to take upon them the Style 'of all the Gentry and Inhabitants of that County*; 'whereas, they ſay, *ſo many more, of as good Quali-'ty as themſelves, of that County, were of another*

'*Opi-*

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' *Opinion*; *and have ſince, by their Petition to us, diſ-*
' *avowed that Act*: Their Information in that Point
' is no better than it uſeth to be; and they will find,
' That neither the Number or the Quality of thoſe
' who have, or will diſavow that Petition, are as
' they imagine; though too many weak Perſons
' are miſled (which they do, and will every Day
' more, underſtand) by the Faction, Skill, and In-
' duſtry of that true Malignant Party, of which we
' do, and have Reaſon to complain. They ſay,
' *They have received no Petition of ſo ſtrange a Na-*
' *ture*. What Nature? Contrary to the Votes of
' both Houſes: That is, They have received no
' Petition which they had no Mind to receive: But
' we told them, and we tell them again, and all our
' good Subjects will tell them, That they have re-
' ceived Petitions, with Joy and Approbation, againſt
' the Votes of both Houſes of their Predeceſſors,
' confirmed and eſtabliſhed into Laws by the Con-
' ſent of us and our Anceſtors; and allowed thoſe
' Petitions to carry the Style, and to ſeem to carry
' the Deſires of Cities, Towns, and Counties,
' when of either City, Town, or County very few
' known or conſiderable Perſons have been privy to
' ſuch Petitions: Whereas, in Truth, the Petitions
' delivered to us (againſt which they except) car-
' ried not the Style of All, but Some, of the Gentry
' and Inhabitants; and implied no other Conſent,
' than ſuch as went viſibly along with it.

' But we are all this while in a Miſtake; the Ma-
' gazine at *Hull* is not taken from us. Who told
' you ſo? They who aſſure you (and whom, with-
' out breaking their Privileges, you muſt believe)
' that Sir *John Hotham*'s ſhutting the Gates againſt
' us, and reſiſting our Entrance with armed Men,
' (though we thought it in Defiance of us) *was in-*
' *deed in Obedience to us and our Authority, and for*
' *our Service, and the Service of the Kingdom*: He
' was to let none in but ſuch as came with our Au-
' thority ſignified by both Houſes of Parliament;
' (himſelf and they had ordered it ſo) and therefore
he

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'he kept us out only till we, or he, might ſend for 'their Directions. We know not whether the Con- 'trivers of that Declaration meant that our good 'Subjects ſhould ſo ſoon underſtand (though it 'was plain enough to be underſtood) the Meaning 'of the King's Authority ſignified by both Houſes 'of Parliament: But ſure the World will now eaſily 'diſcern in what miſerable Caſe we had by this Time 'been, (it is bad enough as it is) if we had con- 'ſented to their Bill, or to their Ordinance of the 'Militia, and given thoſe Men Power to have raiſed 'all the Arms of the Kingdom againſt us (for the 'common Good) by our own Authority. Would 'they not, (as they have kept us from *Hull)* by 'this Time, have beaten us from *York*, and purſued 'us out of the Kingdom in our own Behalf? Nay, 'may not this Munition (which is not taken from 'us) be employed againſt us? Not againſt our Au- 'thority, ſignified by both Houſes of Parliament; 'but only to kill thoſe ill Counſellors, the Malignant 'Party which is about us; and yet for our Good, for 'the Public Good, (they will declare it ſo) and ſo 'no Treaſon within the Statute of 25. *Edward* III. 'which, by their Interpretation, hath left us (the 'King of *England)* abſolutely leſs provided for, 'in Point of Safety, than the meaneſt Subject of 'the Kingdom; and every Subject of this Land, '(for whoſe Security that Law was made, that they 'may know their Duty, and their Danger in break- 'ing it) may be made a Traitor, when theſe Men 'pleaſe to ſay he is ſo. But do they think that, 'upon ſuch an Interpretation, (upon Pretence of 'Authority of Book-Caſes and Precedents, which, 'without Doubt they would have cited if they had 'been to their Purpoſe) out of which nothing can 'reſult but Confuſion to King and People, they will 'find any Credit with our good Subjects? And that 'ſo excellent a Law, made both for Security of 'King and People, ſhall be ſo eluded by an Inter- 'pretation no learned Lawyer in *England* will, at 'this Hour, we believe, ſet under his Hand, not- 'withſtanding

'withstanding the Authority of that Declaration; An. 18. Car. I.
'which, we hope, shall bring nothing but Infamy 1642.
'upon the Contrivers of it. June.

'Now to their Privileges: Though it be true, 'they say, *That their Privileges do not extend to 'Treason, Felony, or Breach of the Peace, so as to 'exempt the Members from all Manner of Process and 'Trial; yet it doth privilege them in the Way or Me-'thod of their Trial; the Cause must first be brought 'before them, and their Consent asked before you can 'proceed.* Why then their Privileges extend as far 'in these Cases, as in any that are most unquestion-'ed; for no Privilege whatsoever exempts them 'from all Manner of Process and Trial, if you first 'acquaint the House with it, and they give you Leave 'to proceed by such Process, or to that Trial: But, 'by this Rule, if a Member of either House commit 'a Murder, you must by no Means meddle with 'him, till you have acquainted that House, of 'which he is a Member, and received their Direc-'tion for your Proceeding; assuring yourself he will 'not stir from that Place where you left him, till 'you return with their Consent: *Should it be other-'wise, it would be in the Power of every private Man, 'under Pretence of Murder, to take any Man from 'his Service in Parliament, and so as many, one after 'another, as he pleaseth; and so consequently to make a 'Parliament what he will and when he will:* If a 'Member of either House shall take a Purse at *York*, '(he may as probably take a Purse from a Subject, 'as Arms against his King) you must ride to *Lon-'don* to know what to do; and he may ride with you 'and take a new Purse every Stage, and must not be 'apprehended, or declared a Felon, till you have 'asked that House of which he is a Member: For, 'should it be otherwise, it might be in every private 'Man's Power to accuse as many Members as he 'would of taking Purses, and so bring a Parliament '(and consequently all Parliaments) to nothing. 'Would these Men be believed? And yet they make 'no Doubt but every one who hath taken the Protes-'tation, will defend this Doctrine with his Life and

'Fortune

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'Fortune. Will not our Subjects believe, That they 'have impoſed a pretty Proteſtation upon them, and 'that they had a very good End in the doing of it, 'if it obligeth them to ſuch Hazards, to ſuch Under-'takings? Muſt they forget or neglect our Perſon, 'Honour, and Eſtate, which, by that Proteſtation, 'they are bound to defend, and in ſome Degree do 'underſtand; and muſt they only venture their Lives 'and Fortunes to juſtify Privileges they know not, 'or ever heard of before? Or are they bound by that 'Proteſtation to believe, that the Framers of that 'Declaration have Power to extend their own Pri-'vileges as far as they think fit, and to contract our 'Rights as much as they pleaſe; and that they are 'bound to believe them in either, and to venture 'their Lives and Fortunes in that Quarrel?

'From declaring how mean a Perſon we are, and 'how much the Kingdom hath been miſtaken in the 'Underſtanding of the Statute of 25. *Ed.* III. con-'cerning Treaſon; and that all Men need not fear 'levying War againſt us, ſo they have their Order 'to warrant them, they proceed, in the Spirit of De-'claring, to certify our Subjects in the Miſtakings, 'which near one hundred and fifty Years have been 'received, concerning the Statute of 11. *Hen-'ry* VII. *Cap.* 1. (a Statute our good Subjects will 'read with Comfort) and tell them, *That the ſer-'ving of the King, for the Time being, cannot be meant 'of* Perkin Warbeck, *or of any that ſhould call him-'ſelf King, but ſuch a one as is allowed and received 'by the Parliament in the Behalf of the Kingdom*; 'and are we not ſo allowed? However thro' a dark 'Miſt of Words, and urging their old Privileges, '(which we hope we have ſufficiently anſwered, 'and will be every Day more confuted by the Ac-'tions of our good Subjects) they conclude, That 'thoſe that ſhall guide themſelves by the Judgment 'of Parliament (which they ſay is their own) 'ought, whatſoever happen, to be ſecure and free 'from all Account and Penalties, upon the Ground 'and Equity of that very Statute. How far their

'own

'own Chancellors may help them in that Equity, 'we know not; but, by the Help of God and that 'good Law, we shall allow no such Equity. An. 18. Car. I. 1642. June.

'So then, here is the Doctrine of that Declara- 'ration, and these are the Positions of the Contri- 'vers of it.

1. '*That they have an absolute Power of declaring* 'the Law, *and that whatsoever they declare to be so,* 'ought not to be questioned by ourself, *or any Subject;* 'so that all Right and Safety of us and our People 'must depend upon their Pleasure.

2. '*That no Precedents can be Limits to bound* 'their Proceedings; *so they may do what they please.*

3. '*That a Parliament may dispose of any Thing,* 'wherein the King or Subject hath a Right, *for* 'the Public Good; *that they, without the King, are* 'this Parliament, *and Judge of this Public Good;* 'and that our Consent is not necessary: *So the Life* 'and Liberty of the Subject, *and all the good Laws* 'made for the Security of them, *may be disposed of and* 'repealed by the Major Part of both Houses, *at any* 'Time present, *and by any Ways and Means procured* 'so to be; *and we have no Power to protect them.*

4. '*That no Member of either House ought to be* 'troubled or meddled with, *for Treason, Felony, or* 'any other Crime, *without the Cause being first* 'brought before them, *that they may judge of the Fact,* 'and their Leave obtained to proceed.

5. '*That the Sovereign Power resides in both* 'Houses of Parliament, *and that we have no Nega-* 'tive Voice: *So then we ourself must be subject to* 'their Commands.

6. '*That the levying of Forces against the personal* 'Commands of the King, *though accompanied with* 'his Presence, *is not levying War against the King;* 'but the levying War against his Laws and Autho- 'rity, *(which they have Power to declare and signify)* 'though not against his Person, *is levying War* 'against the King; *and that Treason cannot be com-* 'mitted against his Person, *otherwise than as he is* 'intrusted with the Kingdom, *and discharging that*

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'*Truſt*; *and that they have a Power to judge whether* '*he diſcharge this Truſt or no.*'

7. '*That if they ſhould make the higheſt Prece-* '*dents of other Parliaments their Patterns, there* '*would be no Cauſe to complain of Want of Modeſty* '*or Duty in them: That is, they may depoſe us* '*when they will, and are not to be blamed for ſo do-* '*ing.*

'And now, as if the mere Publiſhing of their 'Reſolutions would not only prevail with the Peo- 'ple, but in the Inſtant deſtroy all Spirit and Courage 'in us to preſerve our own Rights and Honour, they 'have ſince taken the Boldneſs to aſſault us with 'certain Propoſitions, which they call *the moſt ne-* '*ceſſary effectual Means for removing thoſe Jealouſies* '*and Differences between us and our People*: That 'is, that we will be content to diveſt ourſelf of all 'our Regal Rights and Dignities; be content with 'the Title of a King; and ſuffer them, according 'to their Diſcretion, to govern us and the King- 'dom, and to diſpoſe of our Children. How ſuit- 'able and agreeable this Doctrine and theſe De- 'mands are to the Affection of our loving Subjects, 'under whoſe Truſt theſe Men pretend to ſay and 'do theſe monſtrous Things; and to deſign, not 'only the Ruin of our Perſon, but of Monarchy 'itſelf, (which we may juſtly ſay, is more than ever 'was offered in any of our Predeceſſors Times; for 'tho' the Perſon of the King hath been ſometimes 'unjuſtly depoſed, yet the Regal Power was never, 'before this Time, ſtrucken at) we believe our 'good Subjects will find ſome Way to let them and 'the World know: And from this Time ſuch who 'have been miſled by their ill Counſels, to have 'any Hand in the Execution of the Militia, will 'ſee to what Ends their Service is deſign'd; and 'therefore, if they ſhall preſume hereafter to med- 'dle in it, they muſt expect that we will imme- 'diately proceed againſt them as actual Raiſers of 'Sedition, and as Enemies to our Sovereign Power.

'We have done: And ſhall now expect the 'worſt Actions theſe Men have Power to commit

'againſt

'against us; worse Words they cannot give us. An. 18. Car. I.
'And we doubt not but the Major Part of both 1642.
'Houses of Parliament, when they may come toge- June.
'ther with their Honour and Safety, (as well those
'who were surprised at the Passing of it, and under-
'stood not the Malice in it, and the Confusion that
'must grow by it, if believed, as those who were
'absent, or involv'd) will so far resent the Indig-
'nity offered to us, the Dishonour to themselves,
'and the Mischief to the whole Kingdom, by that
'Declaration, that they will speedily make the foul
'Contrivers of it Instances of their exemplary Ju-
'stice, and brand them and their Doctrine with the
'Marks of their perpetual Scorn and Indignation.'

June 6. Both the Houses received Intelligence from their Committee at *York*, concerning a prodigious Meeting of Gentlemen and Freeholders, which had appeared, at his Majesty's Summons, on a Moor near that City, on the third of this Month. The Particulars thereof, in a Letter from the Lord *Howard* of *Eskricke*, one of the said Committee, directed to the Speaker of the House of Peers, was read in these Words:

My Lord,

ACcording to the Commands of the Houses, we presented your Petition and Propositions, to the King, Yesterday Morning; he heard them read, and told us, He would take some Time to consider of an Answer.

A Sixth Letter from the Lord *Howard*, with an Account of the King's Proceedings at *York*.

I doubt not but the House will expect some Account from me of the great Meeting Yesterday; yet I believe that no Man can fully satisfy to what it tended, or make any Judgment thereon, or what Sense the Country had of it: For, as nothing was offered to them by way of Proposition, so nothing was said by them, only that divers Times there was made a very great Shout or Noise.

A printed Speech was there read, in divers Places of the Field, which some heard, but many Thousands went away saying, They could give no Account of

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of the Cauſe of their being called together. *The Number was very great, thought to be about forty thouſand* [k]; *the King came to the Place with the Prince, the Duke of* York, *the* Prince Elector *and moſt of the Lords that are in Town; the Regiment of Horſe, Trained Bands, his Majeſty's Guard of Horſe of this County, his own Servants and the Soldiers that are about the Town; with whom he rode about the Field, ſtaid a little, and then departed.*

A Petition was offered to his Majeſty by Sir Thomas Fairfax, *in the Name of many Inhabitants of this County, but it was not accepted. There were but few Gentlemen at this Meeting, excepting thoſe who put themſelves upon the King's Guard; this Summons being intended, by his Majeſty, only for the Miniſters, Freeholders, Copyholders, and Farmers.*

We continue to ſuffer ſtill by the King's Diſpleaſure; for, when we were ready to take Horſe and accompany our Countrymen, it pleaſed his Majeſty to ſend the Earl of Newport *to us with this Meſſage:* That his Majeſty did command us that we ſhould not go to the Field, nor appear at all in this Meeting. *To which we returned this Anſwer by the Earl to his Majeſty,* That we would obey his Commands herein at this Time; but that we proteſted, It was a very high Breach of our Liberty, as we were Subjects and *Yorkſhiremen:* That we humbly conceived we were under no Reſtraint, at preſent, as Priſoners; not having deſerved any ſuch Affront or Puniſhment, by any Thing we had ſaid or done: That there were divers Parliament Men there, (who, we were confident, had not done ſo good Service to his Majeſty, in endeavouring the Peace of the Kingdom, as we had) who were not only admitted to this Meeting, but had much Reſpect from his Majeſty, while we ſuffered under theſe undeſerved Injuries: That tho', for the preſent, we ſhould forbear going, yet, if any Thing ſhould happen wherein our Service ſhould be required by our Inſtructions, we

[k] In a printed Pamphlet of this Time we are told, the Number was deem'd to be 70 or 80,000, but that there were not preſent above 5000 Freeholders.

we must and would be ready to come and perform it. An. 18. Car. I. 1642. June.

This Answer being sent accordingly, we resolved to stay at our Lodgings, the Place of the Meeting being very near; and sent divers of our Servants there, who we directed to give us particular Notice of what pass'd; so that, if there had been Occasion, we could presently have been upon the Place, to have done any Thing which had concerned our Duties.

We are informed that the Earl of Newport *hath, by his Majesty's Commands, sent forth Warrants, that the Recusants Arms, deposited in any Part of this County, shall be brought to* York, *for his Majesty's Service: This being, as we conceive, of some Consequence, I thought it my Duty to acquaint the House therewith, and shall ever remain*

York, June 4, 1642.

Your Lordship's most humble Servant,

ED. HOWARD.

A Conference was held, this Day, between the two Houses, on the Subject of the foregoing Letter, *&c.* the Report of which was made to the Lords, in the Afternoon; wherein the Commons presented their Lordships a printed Copy of the King's Declaration to the Ministers, Freeholders, Farmers, and substantial Copyholders, assembled by his Majesty's special Summons at *Heworth-Moor* near *York*, on the third of this Month; which was as follows: [1]

His Majesty's Declaration to the Ministers, Freeholders, Farmers, and Copyholders of that County.

'WE would have you to be assured, that we never intended the least Neglect unto you, 'in any former Summons of the Country; our Love, 'as well as our Protection, extending to all our 'Sub-

[1] This Summons, which being Matter of Form only, we omit, and the King's Declaration are in *Rushworth* and *Husbands*; but neither Lord *Howard*'s Letters, nor the following Petitions, *&c.* relating to this Meeting, are to be found in those or our own Collections, although they were ordered by Parliament to be printed. They are all mentioned in the *Commons Journals*, but not there entered, and we give them from those of the *Lords*.

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'Subjects: But as you are a great Body, Time 'and Conveniency must be observed in your as- 'sembling.

'That you may know the general Reasons of 'our being here, you must understand, That when 'we found it neither safe nor honourable to expose 'our Person to the tumultuous and licentious Pro- 'ceedings of many, (which to this Day are unpu- 'nished) who did disorderly approach near our 'Court at *Whitehall*, we trusted this Part of our 'Dominions chiefly to reside in; where, as most 'of the Gentry already have, so we assure ourselves 'the rest of you will, give us clear Testimony of 'your Service and Obedience; which we will ne- 'ver use otherwise than for the Defence of the true 'Orthodox Religion, professed and settled in Queen '*Elizabeth*'s Time, and confirmed by the Autho- 'rity of the Statutes of this Realm; the Defence of 'the Laws and Fundamental Constitutions of this 'Kingdom, as the justest Measure and Rule for our 'Prerogative, and your Liberties and Rights; and, 'lastly, for the Preservation of the Peace of this 'Kingdom.

'As for our own Zeal to the Protestant Profes- 'sion, we refer all the World to our daily Exercise 'of it, and our Declarations concerning it, and to 'our Execution of the Laws against the Papists; so 'likewise we cannot but declare ourself most hear- 'tily sorry to find such Separatists and Schismatics, 'who presume, against the Law, to foment new 'Doctrines and Disciplines to the Disturbance of 'Church and State.

'For the Law; it being the common Inheritance 'of our People, we shall never inforce any Prero- 'gative of ours beyond it, but submit ourself to it; 'and give you, and all our Subjects, the ful- 'lest Latitude of it, both for the Liberty of your 'Persons, and the Property of your Estates. And 'for an inviolable Confidence and Assurance hereof, 'as we take God, the Searcher of all Hearts, to 'witness our real Intention herein; so we shall no 'longer desire you to stand for the Defence of

'our

'our Perſon, Honour, and juſt Prerogatives, than 'we ſhall maintain the Laws of the Land, the Li- 'berty of your Perſons, and the Property of your 'Goods. An. 18. Car. I. 1642. June.

'And for the clear Underſtanding of our Reſolu- 'tions to maintain Peace, we may have the Confi- 'dence and Happineſs to refer (againſt all Malig- 'nity whatſoever) to our former ſixteen Years 'Reign; (too long to diſſemble our Nature) if, in 'all this Time, we never cauſed the Effuſion of 'one Drop of Blood, it muſt needs be thought, 'that, in our riper Judgment in Government, we 'ſhould never open ſuch Iſſues as might drown us 'and our Poſterity in them: But we are ſure to 'have no Enemies, but in the Defence of the true 'Proteſtant Profeſſion, the Right of the eſtabliſhed 'Laws, and for the Preſervation of Peace: And 'certainly all ſuch as thoſe muſt be yours as well as 'our Enemies.

'And to the end that this our preſent Poſture, 'wherein we meet, ſhould not affright you with the 'Diſtempers of the Times, (the Example of the 'two Houſes having made us prepare for a Guard 'to us and our Childrens Perſons) we wiſh you to 'look into the Compoſition and Conſtitution of it; 'and you will find it ſo far from the Face or Fear of 'War, that it ſerves to ſecure you, as well as us, 'from it; for our Choice is of the prime Gentry, 'and of one Regiment of our Trained Bands, which 'cannot be thought to oppreſs the Country, being 'their own, nor war with themſelves. And we fur- 'ther aſſure you, we never intended to uſe Foreign- 'ers or diſaffected in Religion; and, that you may 'fully aſſure yourſelves of our ſole Dependency up- 'on the Love and Service of our own People, to 'live and die with them, we have armed theſe our 'Subjects; which had been moſt irrational, if we 'had ever intended to have uſed Strangers. And 'further, you may perceive that we do receive none, 'but ſuch as ſtand clear in Loyalty and Religion; 'for which Reaſon we have cauſed the Oaths of 'Allegiance and Supremacy to be given them.

Like-

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'Likewise, to prevent any Distempers at home, 'we have and shall put the Trained Bands of all 'this our Kingdom, under the Command of Per- 'sons of Honour, Confidence, and Affection to 'their Country; straitly charging, upon their Al- 'legiance, no Officer to accept any Command in 'them, nor Soldiers to obey any, save such as are 'authorized by us. And for the Prevention of any 'innovated Power over you, you shall have us here 'to govern you, and the Soldiery to protect you in 'Peace, and to relieve you against all Oppressions; 'for that, as we have told you before, must arise from 'some great Violation, (which we hope God will 'prevent) and not from this Preparation of our Sub- 'jects. Therefore let none of you be affrighted 'with vain Fears; if such a War should follow, 'it follows the Author home to their own Doors; 'and such, by the Confidence of our Person with 'you, we assure ourself you are not.

'Here we had left you to your Fidelity and Duty, 'had not some malicious Insolence, in our former 'Meetings, sent forth a most presumptuous Sum- 'mons, deceiving our People, and presuming upon 'our Royal Authority; and these present them- 'selves as great Defenders of Religion, Peace, and 'Liberty: whereas they become infectious and con- 'tagious to the People, seducing them into vain 'Fancies and Delusions, as may appear by their 'Warrants, which we could trace to some Pulpits, 'as we are credibly informed: And you see it were 'just in us to punish these as Authors of Sedition, 'but that it would be too great a Favour; for it 'would honour them with the Title of Martyrdom, 'for God's Cause, as they vainly pretend: But you 'may now see from whence this Spirit comes, that 'would make us to be in the Act of Destruction of 'Religion, and our Person a Disturber of the Peace, 'and ready to introduce Slavery.

'These here are all the foreign Forces we have, 'or ever shall intend to have, to act these great De- 'signs, notwithstanding the vain Fears hitherto 'imagined. So that you see it is high Time that

'these

'these Fancies were dispersed and driven away, that we might be repaired in Honour and Interest, and you enjoy the Blessing of Peace and Happiness, the Advancement whereof shall be our Study and Comfort: And therefore we shall, when you shall think it convenient Time, ease you in the Number of Trained Bands; and for your Billet-Money, it had been long since paid, but that no Part of the Subsidies which we passed for that Purpose, came to our Hands; and we shall not be wanting, in any Thing that lieth in us, for the full Satisfaction thereof: But shall make our Grace and Bounty to you answerable to your best Fidelity and Loyalty, as Occasion shall be offered to us.

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Next was read a Copy of the Petition of the County of *York*, which the King had refused to accept.

To the KING's Most Excellent Majesty,

The HUMBLE PETITION of the GENTRY, MINISTERS, FREEHOLDERS, and other Inhabitants of the County of *York*,

Sheweth,

A Petition offered by Sir *Thomas Fairfax*, which the King refused to accept.

THAT this particular County (most affectionate to your Majesty's Service) hath willingly, for three Years last past, been the Stage whereon the tragical Miseries (which necessarily accompany War and Armies) have been represented and acted; whereby the general Wealth and Plenty of this County is exhausted and brought very low; which Weight of Miseries are sensibly become much more heavy by reason of your Majesty's Distance in Residence, and Difference in Councils, from your great Council the Parliament; begetting great Distempers and Distractions throughout the Kingdom, and have evidently, amongst us, produced Factions and Divisions; drawing to these Parts great Numbers of discontented Persons, who,

it

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it may too justly be feared, do affect the Public Ruin for their private Advantage.

All these Evils are daily fomented, and grown more formidable, by your Majesty's drawing together (as we conceive not according to Law) many Companies of the Trained Bands and others, both Horse and Foot, of this County; by your entertaining Multitudes of Commanders and Cavaliers from other Parts; by the daily Resort of Recusants, and Persons disaffected in Religion, to your Majesty's Court at York; *and by the great Preparation of Arms and other Warlike Provisions. These beget in us Fears of Wars, to the great Terror and Amazement of us your Majesty's peaceable Subjects, and the great Decay of all Commerce and industrious Courses for the Wealth and Prosperity of the Country, especially of Cloathing, which is the main Subsistence of this County; and which is, since your Majesty's Residence with us, and the following Distractions thereupon, suddenly obstructed; insomuch that many thousand Families who are of, and have their Livelihood by, the Trade of Cloathing, are at the Point of utter Undoing; which inevitably will prove to be of dangerous Consequence, and will be the Inlet to our approaching and unavoidable Ruin, unless your Majesty graciously please to give Redress by removing the Causes, which will remove these miserable Effects.*

It is too true that very many, in these and other Parts of the Kingdom, do wholly withdraw themselves from their former Commerce and Dealing; and others, both Merchants and Chapmen, do now generally refuse to make Payments for Goods long since sold and delivered; alledging that others refuse to pay them for any other Commodities formerly sold, till the Fears and Distractions of the Land be settled. This, if not suddenly prevented, will forthwith overturn all such Ways of Advantage and Comfort, as have formerly made this Kingdom, and this County in particular, prosperous and happy.

We do therefore, in all Humility and Duty, in the Sense of our deplorable Condition, beseech your Majesty

to

to pardon us if we importune your Majesty more than others; since we have endured, and are in Hazard, more than any; and that, from these Apprehensions, we may offer to your Majesty our earnest Petitions for Redress and Prevention of these Evils, daily threatning Danger to your Majesty and Destruction to us; which we conceive is impossible any other Way to be effected than by your Majesty's entertaining a right Understanding betwixt yourself and Parliament; by inclining your gracious Ear and Consent to such Counsels and Propositions as shall be tendered, by them to your Majesty, for the Honour and Greatness of your Majesty and Posterity, and the Good of the Church and Kingdom; by your Majesty's declining all other Counsels whatsoever, and uniting of your Confidence to your Parliament: And that your Majesty would in no Way think fit to put us upon that Rock of denying either the Duty we owe to your Majesty, or to your Parliament and the whole Kingdom, to which we are so deeply engaged by our Protestation; which your Majesty, to our Knowledge, never dissented from nor declared against: And that, whilst your Majesty expects our Performance on our Part thereof, we may not, being equally engaged, impeach at all, or in the least Degree go against, our Duty in the other; which we stand resolved by no Means, either of Fear or Favour, to be drawn to do.

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And we humbly intreat your Majesty to take into Consideration, That your Parliament being the Supreme Judicatory of your Kingdom, the very Essence thereof must of very Necessity be destroyed, if their Counsels and Determinations be subjected to Alteration or Reversal by the Counsels or Opinions of any private Person, how learned or judicious soever: And, seeing your Majesty hath most graciously passed an Act, That this Parliament shall not be dissolved, nor adjourned, without Consent of your Majesty and both Houses, we do humbly beseech your Majesty to take into your gracious and prudent Thoughts that nothing may be done tending thereunto; and that the Lords and great Officers, now called hither by your Majesty's Command, may speedily be returned to the High Court of Par-

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Parliament; whereby it may be evident to the World, that your Majesty intends not to decline the Law so enacted: And that, since your Majesty hath graciously declared your Confidence in the Affections of this County, your Majesty would not think it fit an extraordinary Guard should be raised thereout; and the Cavaliers and others of that Quality, still continued about your Majesty, as Men most useful, and as if kept for some Design; they not having, for ought we know, either Interest in, or Affections to, the Public Good; their Language and Behaviour speaking nothing but Division and Wars, and their Advantage consisting in that which is most destructive to others.

And lastly, That since your Majesty hath called in this County to attend your Majesty this Day, your Petitioners do most humbly supplicate, That none, either Cavaliers or others, who in Truth have not present Fortunes in this County, may be admitted into any Meeting, this Day, concerning the Public Business thereof; nor hereafter be present at any Vote or Consultation, when any further Meeting may be, to prepare and consider of some fit Answer to what your Majesty shall propound: We humbly conceiving it neither just nor equal (but a Thing to be protested against) that any whosoever should be thrust upon us as Men of this County, that are not, by their Fortune and Residence, any Part of us.

And now your Petitioners do most heartily pray, that the God of Heaven, in whose Hands are the Hearts of Kings, would this Day incline your Majesty's Heart seriously to consider the present and imminent Miseries that this your Kingdom lies under; in the Peace whereof visibly, under God, consists the Preservation of the Protestant Religion, the Redemption of our Brethren in Ireland, *and the establishing of that Kingdom to your Majesty and Posterity from those desperate and unparallel'd Rebels.*

Your Majesty's graciously granting of these your Petitioners humble Desires, (whatsoever may be said to the contrary) they are well assured, will abundantly redound to the Glory of God, the Honour and Safety of your Majesty, and the Good of your Posterity. —

These

These are the only probable Means, under God, to restore Peace and Plenty, and to make this your Kingdom happy; besides the happy Acquisition of your People's Hearts, the greatest Treasure of Princes: All these will, graciously, represent your Majesty's lively Portraiture to him who is the Fountain of Wisdom and Piety, to whom we shall ever pray for your Majesty's long and prosperous Reign.

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Then was read another Petition from the Gentry, &c. of the same County to the Parliament, on Occasion of the King's refusing to receive the former.

To the Right Hon. the LORDS and COMMONS in the High Court of Parliament assembled,

The HUMBLE PETITION of the GENTRY, MINISTERS, FREEHOLDERS, and other INHABITANTS of the County of *York*, assembled there, at his MAJESTY's Command, the third of *June*, 1642.

Another to the Parliament, on his Majesty's Refusal of the former.

WE, being resolved humbly to petition his Majesty for the Redress of those Grievances which we now lie under, did desire to have met in the Castle Yard *at* York; *we conceiving it the fittest Place to consider of such Public Affairs as concerned the County: This we were not only denied, but Charge was given to the Officer there, that we should not have Admittance: When we assembled upon the Place appointed by his Majesty, and did acquaint the County there met with a Form of a Petition (the Sense whereof they formerly approved of, and then, upon the Reading thereof, generally consented to, and desir'd the same should be presented to his Majesty) we were violently interrupted by the Earl of* Lindsey, *who, with a great Troop attending him, in an imperious Way, snatch'd out of a Gentleman's Hand of good Quality, a Copy of the aforementioned Petition, which, at the Desire of the Country, he was reading to them: And said,* You are a Company of Traiterous Rogues and Villains, *and often lifted up his Cane*

An. 18. Car. I. 1642. June. *Cane as if he would have ſtruck him. Alſo a Knight of this County was affronted by the Lord* Saville, *upon his reading to himſelf the Draught of a Petition upon the Place aforeſaid, the Day above. Firſt, his Lordſhip told him,* It was a Pamphlet, *which he denied; thereupon the Lord* Saville *demanded it of him, which he refuſing to deliver. his Lordſhip laid Hands upon his Sword, and almoſt pluck'd him from his Horſe; and took the Petition from him, ſaying,* That he was labouring to ſow Seeds of Sedition; and, if he would fight, there would be Fighting enough. *Many of the ſaid Lord* Saville's *Company alſo held up their Canes at him; and one of them ſaid,* Hold your Prating, it were good to cane you. *This Provocation, had not the People been peaceably inclined, might have produced bloody Effects; notwithſtanding all which, and divers other inſufferable Injuries, ſo confident were we of his Majeſty's former Profeſſion,* Never to refuſe any Petition preſented by his People to him in an humble Way, *that we deſiſted not to wait our beſt Opportunity to preſent the ſaid Petition to his Majeſty; a Copy whereof we here humbly preſent unto your grave Conſiderations, which his Majeſty, notwithſtanding, pleaſed not to accept of.*

We therefore humbly deſire theſe Honourable Houſes well to weigh theſe Particulars, and to take ſuch Courſe therein as may tend to the Preſervation of our Liberties, and the Peace of the Kingdom; and that you would be pleaſed to addreſs yourſelves to his Majeſty on our Behalf, that, through your Wiſdoms, our Deſires may find better Acceptation with his Majeſty,

And we ſhall heartily pray, *&c.*

Laſtly, was read a Copy of a Letter ſent from *York*, by Sir *John Bourchier* to Sir *Thomas Barrington*, Bart. a Member of the Houſe of Commons.

Dear Couſin,

Sir *John Bourchier's* Letter on the ſame Occaſion. *YEſterday, being at* Heworth-Moor, *ſeeing one reading ſomething, I drew near to him, and by Inquiry I found that it was a Petition, that was to be*

be presented presently to his Majesty; those that heard it read approved of it. Meeting with a Friend, I inquired of him, if he had not the Petition, or a Copy of it, which he told me, He had. I entreated him to lend it me, which accordingly he did: Having read Part of it, my Lord Saville *came with a great Company, in a furious Manner, and demanded what I did there; and told me,* That I was reading some Pamphlet to the People, and that I was labouring to sow some Seeds of Sedition to seduce the King's Subjects; *whereupon I told him,* It was a Petition that I was reading privately to myself, which, upon his Approach, I had put in my Pocket. *My Lord* Saville, *in an imperious Manner, demanded of me,* To deliver it to him, *which I refused: Then his Lordship laid his Hand upon the Belt of my Sword, and almost pulled me off my Horse, and forced me to deliver the Petition to him. His Lordship told me,* If we loved Fighting we should have Fighting enough; *I answered,* I came this Day to labour for Peace. *Before his Lordship's Departure, he told me,* That he knew me well enough; *I answered his Lordship,* I hoped he knew no Ill by me. *Many that were with his Lordship held up their Canes, in a terrifying Manner; and one of them said,* Hold your Prating, it were good to cane you: *And when his Lordship and the rest were gone, one of them turn'd back, and bid me,* be quiet, else I should be caned: *Adding,* That it were a good Deed to put me in the Stocks. *Afterwards, I being discoursing with Sir* Richard Darley *and some others, and telling them how I was affronted, even now, by my Lord* Saville; *and formerly, having Fire thrown into my Coach, and some other Affronts done unto me, which I have formerly told you of, one Capt.* Playne, *who was one of my Lord* Saville's *Company, came up and told me,* I did ill to lay Aspersions upon Persons of Honour; *whereupon I told him,* I did not lay it upon my Lord, but only that I was so abused and affronted: *Upon due Consideration I verily believe he came to make some Quarrel.*

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Sir,

An. 18. Car. I. 1642. June. *Sir, upon my parting from you, you desired to hear from me here, I thought good to let you know thus much concerning myself. I rest,*

Your affectionate Cousin,

York, June 4. 1642. to serve you,

JOHN BOURCHIER.

The Parliament declare the Earl of *Lindsey* and Lord *Saville* Enemies to the State,

The Lords having taken into their Consideration all the foregoing Particulars, ordered, That the Earl of *Lindsey*, Lord Great Chamberlain, and the Lord *Saville* should be apprehended by the Sheriff of *Yorkshire*, and be conveyed, from Sheriff to Sheriff, to the House. These two Lords were, at the same Time, voted Public Enemies of the State, and Incendiaries between the King and his People.

The following Resolution was also agreed to by both Houses.

And resolve to support the *York-shire* Petitioners.

'The Lords and Commons, observing not only the Wisdom, but the Affections of the County of *York*, expressed in these Petitions; and likewise that they cannot be discouraged from their constant Fidelity to the Laws and Government of this Kingdom, which have their Life and Being from the Parliament, have thought fit to declare their good Acceptation of their Affections; assuring them, That they will interest themselves in those their Demands, which tend to the Honour and Safety of his Majesty, and the Peace of his Kingdom; and may prove an effectual Means to keep us from the desperate Mischiefs, which those Lords, that opposed this Petition, would have brought this Kingdom unto.'

The King having published, the latter End of last Month, a Proclamation concerning the Militia; and the same having been communicated to the Commons by their Committee at *York*, that House resolved to appoint another Committee to prepare a Declaration in Answer thereto, 'To shew how danger-

dangerously the Privileges of Parliament have been broken of late, even at this Time, when the King professeth to rule by Law; and the dangerous Consequences of these Breaches.' This Declaration, having gone through several Alterations by the Commons, was at length passed, and ordered to be sent up to the Lords by Mr. *Pymme*. Their Lordships having agreed thereto, it was, by Order of both Houses, printed and published this Day. But first we shall give the Proclamation itself.

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By the KING.

A PROCLAMATION *forbidding all his Majesty's Subjects, belonging to the Train'd Bands or Militia of this Kingdom, to rise, march, muster, or exercise, by virtue of any Order or Ordinance of one or both Houses of Parliament, without Consent or Warrant from his Majesty, upon Pain of Punishment according to the Laws.*

The King's Proclamation forbidding Obedience to the Ordinance for the Militia.

'WHereas, by the Statute made in the seventh Year of King *Edward* I. *The Prelates, Earls, Barons, and Commonalty of the Realm, affirmed in Parliament, That to the King it belongeth, and his Part it is, by his Royal Seigniory, straitly to forbid wearing of Armour, and all other Force against the Peace, at all Times when it shall please him, and to punish them which shall do contrary, according to the Laws and Usages of the Realm; and hereunto all Subjects are bound to aid the King as their Sovereign Lord, at all Seasons when Need shall be:* And whereas we understand that, expressly contrary to the said Statute, and other good Laws of this our Kingdom, under Colour and Pretence of an Ordinance of Parliament, without our Consent, or any Commission or Warrant from us, the Train'd Bands and Militia of this Kingdom have been lately, and are intended to be, put in Arms, and drawn into Companies in a warlike Manner, whereby the Peace and Quiet of our Subjects is, or may be, disturbed: We be-

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'ing desirous, by all gracious and fair Admonitions, 'to prevent that some malignant Persons in this our 'Kingdom do not, by Degrees, seduce our good 'Subjects from their due Obedience to us and the 'Laws of this our Kingdom; subtilly endeavour-'ing, by a general Combustion or Confusion, to 'hide their mischievous Designs and Intentions a-'gainst the Peace of this our Kingdom; and, under 'a specious Pretence of putting our Train'd Bands 'into a Posture, to draw and engage our good 'Subjects in a warlike Opposition against us, as 'our Town of *Hull* is already by the Treason of 'Sir *John Hotham*; who, at first, pretended to put 'a Garrison into the same only for our Security 'and Service:

'We do therefore, by this our Proclamation, ex-'pressly charge and command all our Sheriffs, and all 'Colonels, Lieutenant-Colonels, Serjeant-Majors, 'Captains, Officers, and Soldiers belonging to the 'Train'd Bands of this our Kingdom, and likewise 'all High and Petty Constables, and other our Of-'ficers and Subjects whatsoever, upon their Alle-'giance, and as they tender the Peace of this our 'Kingdom, not to muster, levy, raise, or march, or 'to summon or warn, upon any Warrant, Order, 'or Ordinance from one or both our Houses of Par-'liament, (whereto we have not, or shall not give 'our express Consent) any of our Train'd Bands, 'or other Forces, to rise, muster, march, or exer-'cise, without express Warrant under our Hand, 'or Warrant from our Sheriff of the County, 'grounded upon a particular Writ to that Purpose, 'under our Great Seal. And in case any of our 'Train'd Bands shall rise, or gather together, con-'trary to this our Command, we shall then call 'them in due Time to a strict Account; and pro-'ceed legally against them as Violators of the Laws, 'and Disturbers of the Peace of the Kingdom.'

Given at our Court at York, *the 27th Day of* May, 1642.

The

The Parliament's DECLARATION, *in Answer to the foregoing* PROCLAMATION.

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The Parliament's Declaration in Answer thereto.

'THE Lords and Commons, having perused his Majesty's Proclamation, forbidding all his Majesty's Subjects belonging to the Train'd Bands or Militia of this Kingdom, to rise, march, muster, or exercise, by virtue of any Order or Ordinance of one or both Houses of Parliament, without Consent or Warrant from his Majesty, upon Pain of Punishment according to the Laws: Do thereupon declare, That neither the Statute of 7. *Edward* I. therein vouched, nor any other Law of this Kingdom, doth restrain or make void the Ordinance agreed upon by both Houses of Parliament for the ordering and disposing of the Militia of the Kingdom, in this Time of extreme and imminent Danger; nor expose his Majesty's Subjects to any Punishment for obeying the same, notwithstanding that his Majesty hath refused to give his Consent to that Ordinance; but ought to be obeyed by the Fundamental Laws of this Kingdom.

'The Statute of 7. *Edward* I. [*Anno* 1279] quoted in his Majesty's Proclamation, runneth thus:

'*The King to the Justices of his Bench sendeth greeting: Whereas of late, before certain Persons deputed to treat upon sundry Debates had between us and certain great Men of our Realm, amongst other Things, it was accorded, That in our next Parliament, after Provision shall be made by us and the common Assent of the Prelates, Earls, and Barons, that in all Parliaments, Treaties, and other Assemblies which should be made in the Realm of* England *for ever, every Man shall come without all Force and Armour, well and peaceably, to the Honour of us, and the Peace of us and our Realm; and now in our next Parliament, at* Westminster, *after the said Treaties, the Prelates, Earls, Barons, and the Commonalty of our Realm there assembled to take Advice of this Business, have said, That to us it belongeth, and our Part is, thro' our Royal Seigniory,*

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'*ſtraitly to forbid Force of Armour, and all other* '*Force againſt our Peace, at all Times when it ſhall* '*pleaſe us; and to puniſh them which ſhall do contra-* '*ry according to our Laws and Uſages of our Realm;* '*and hereunto they are bound to aid us, as their Sove-* '*reign Lord, at all Seaſons when Need ſhall be: We* '*command you that you cauſe theſe Things to be read* '*afore you in the ſaid Bench, and there to be enrolled.* '*Given at* Weſtminſter, *the* 30*th Day of* October.

'The Occaſion of this Declaration for the Reſtraint of armed Men, from coming to the Parliament to diſturb the Peace of it, is very improperly alledged for the Maintenance of ſuch Levies as are now raiſed againſt the Parliament; the Title of the Statute being thus, *To all Parliaments and Treaties every Man ſhall come without Force and Arms:* So that the Queſtion is not, Whether it belongs to the King or no to reſtrain ſuch Force; but, if the King ſhall refuſe to diſcharge that Duty and Truſt, whether there is not a Power in the two Houſes to provide for the Safety of the Parliament, and Peace of the Kingdom? Which is the End for which the Ordinance for the Militia was made; and, being agreeable to the Scope and Purpoſe of the Law, cannot, in Reaſon, be adjudged contrary to it; for although the Law do affirm it to be in the King, yet it doth not exclude thoſe in whom the Law hath placed a Power for that Purpoſe, as in the Courts of Juſtice, in Sheriffs, and other Officers and Miniſters of thoſe Courts; and though their Power is derived from the King by his Patents, yet it cannot be reſtrained by his Majeſty's Command, by his Great Seal, or otherwiſe; much leſs can the Power of Parliament be concluded by his Majeſty's Command, becauſe the Authority thereof is of a higher and more eminent Nature than any of thoſe Courts.

'It is acknowledged that the King is the Fountain of Juſtice and Protection; but the Acts of Juſtice and Protection are not exerciſed in his own Perſon, nor depend upon his Pleaſure; but by

'his

'his Courts, and by his Miniſters, who muſt do 'their Duty therein, though the King, in his own 'Perſon, ſhould forbid them; and therefore, if 'Judgments ſhould be given by them againſt the 'King's Will and perſonal Command, yet are they 'the King's Judgments. An. 18. Car. I. 1642. June.

'The High Court of Parliament is not only a 'Court of Judicature, (enabled by the Laws to ad-'judge and determine the Rights and Liberties of 'the Kingdom againſt ſuch Patents and Grants 'of his Majeſty as are prejudicial thereunto, al-'though ſtrengthened both by his perſonal Com-'mands, and by his Proclamation under the Great 'Seal) but it is likewiſe a Council to provide for the 'Neceſſity, to prevent the imminent Dangers, and 'preſerve the Public Peace and Safety of the King-'dom, and to declare the King's Pleaſure in thoſe 'Things as are requiſite thereunto; and what they 'do herein hath the Stamp of Royal Authority, al-'though his Majeſty, ſeduced by evil Counſel, do, 'in his own Perſon, oppoſe or interrupt the ſame; 'for the King's Supreme Power and Royal Pleaſure 'is exerciſed and declared, in this high Court of Law 'and Council, after a more eminent and obligatory 'Manner, than it can be by any Perſonal Act or Re-'ſolution of his own.

'Seeing therefore the Lords and Commons, which 'are his Majeſty's greateſt and higheſt Council, 'have ordained, That, for the preſent and neceſſa-'ry Defence of the Realm, the Trained Bands and 'Militia of this Kingdom ſhould be ordered ac-'cording to that Ordinance; and that the Town of '*Hull* ſhould be committed to the Cuſtody of Sir '*John Hotham*, to be preſerved from the Attempts 'of Papiſts and other Malignant Perſons, who there-'by might put the Kingdom into a Combuſtion: 'This is ſo far from being a Force againſt the 'King's Peace, that it is neceſſary for the keep-'ing and ſecuring thereof, and for that End alone 'is intended; and all his Majeſty's loving Subjects, 'as well by that Law, as by other Laws, are bound 'to be obedient thereunto; and what they do

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'therein is, according to that Law, to be interpreted to be done in Aid of the King, in Discharge of 'that Trust which he is tied to perform; and it is 'so far from being liable to Punishment, that if 'they should refuse to do it, or be persuaded by any 'Commission or Command of his Majesty to do 'the contrary, they might justly be punished for the 'same according to the Laws and Usages of the 'Realm; for the King, by his Sovereignty, is not 'enabled to destroy his People, but to protect and 'defend them; and the High Court of Parliament, 'and all other his Majesty's Officers and Ministers, 'ought to be subservient to that Power and Authority which the Law hath placed in his Majesty to 'that Purpose, though he himself, in his own Person, should neglect the same:

'Therefore the Lords and Commons do declare 'the said Proclamation to be void in Law, and of 'none Effect: For that, by the Constitution and 'Policy of this Kingdom, the King, by his Proclamation, cannot declare the Law contrary to the 'Judgment and Resolution of any of the inferior 'Courts of Justice, much less against the High 'Court of Parliament; for if it were admitted, 'That the King, by his Proclamation, may declare a Law, thereby his Proclamations will, in 'effect, become Laws; which would turn to the 'subverting of the Law of the Land and the Rights 'and Liberties of the Subjects.

'And the Lords and Commons do require and 'command all Constables, Petty Constables, and all 'other his Majesty's Officers and Subjects whatsoever, to muster, levy, rise, march, and exercise; 'or to summon or warn any, upon Warrant from 'the Lieutenants, Deputy-Lieutenants, Captains, 'or other Officers of the Train'd Bands, and all 'others, according to the said Ordinance of both 'Houses; and shall not presume to muster, levy, 'rise, march, or exercise, by Virtue of any Commission or other Authority whatsoever, as they 'will answer the contrary at their Peril: And in 'their so doing they do further declare, That they

'shall

'shall be protected by the Power and Authority of both Houses of Parliament; and that whosoever shall oppose, question, or hinder them in the Execution of the said Ordinance, shall be proceeded against as Violators of the Laws, and Disturbers of the Peace of the Kingdom.'

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June 7. On the first of this Month the Commons had ordered 50*l.* to be paid to Mr. *Rushworth*, towards defraying the Charge of his several Journies to *York*: And that, upon his Return, they would further consider his Merits, Pains, and Hazards in those several Journies.——Accordingly we find, in the *Journals* of this Day, that the House ordered him 100*l.* more; and promised that, for his Pains and Fidelity in these Services, they would take him into further Consideration hereafter.

A Gratuity of 150*l.* given to Mr. *Rushworth* for his Services.

In the Afternoon of this Day a Letter, directed to the Speaker of the House of Lords, was read as follows:

My Lord, York, June 5, 1642.

WE, whose Names are under-written, have received a Summons, dated the 30th Day of May, *to appear, the 8th of* June, *at the Bar of the House of Peers; we are come here to* York, *at this Time, to pay a willing Obedience to his Majesty's Commands, signified by Letter under his Hand, which Commands remain upon us still; and so we rest*

A Letter to the House of Lords from nine Peers at *York*.

Your Lordship's affectionate Servants,

NORTHAMPTON,
WILL. DEVONSHIRE,
MONMOUTH,
R. RICH,
HEN. DOVER,
GREY, of *Ruthyn*,
C. HOWARD,
THO. COVENTREY,
ARTHUR CAPEL.

Ordered,

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Ordered, That this Letter be taken into Consideration To-morrow; and that all the Lords in Town have Notice to be present.

June 8. The Commons received a Message from the Lords, desiring a present Conference concerning certain Letters from the Lord *Willoughby* of *Parham*, Lord-Lieutenant of *Lincolnshire*, to the Speaker of the House of Lords *pro Tempore*, which was agreed to. Soon after Mr. *Holles* reported, That those Letters concerned some Passages touching the Militia in that County; and delivered the same to the House, which were read as follows:

Another from Lord *Willoughby*, concerning his raising the Militia in *Lincolnshire*.

My Lord,

I Received a Letter from your Lordship, in which the House is pleased to do me a very great Honour, far above any Desert of mine, and little expected by me: For, my Lord, I well know my Obedience ties me to fulfil their Commands; and in what I have done, I have done but my Duty, and that which every honest Man ought to do, and oweth of Right to the Parliament; and whosoever hath that Principle in him, it will dictate to him as much, and keep him from other Bye-ways. And, for my own Part, my Heart ever was, and shall ever be, both forward and ready to obey their Lordships Commands in all Things, both with Integrity and Industry, and God's Curse light upon him and his that carries any other Heart about him.

My Lord, it is too mean a Way for me to express my Acknowledgment, in Paper, to the House for this high Favour, which I have received by your Lordship's Letter. I hope to make it appear to their Lordships, by my Actions, that I am not an ungrateful Servant.

It is a great Encouragement to these Parts, their Lordships Resolutions, in giving their Commands to have the rest of the Militia put in present Execution; and truly, my Lord, it was out of that Regard that I did intimate it to my Lord of Essex; *as holding it a Thing much conducing to the Public Good, and the only Remedy to cure these Distractions which the Kingdom is in, not out of any Regard to myself; for I know, if I suffer*

I suffer in executing their Lordships Commands, it must be against their Wills; and when that Day comes, I will not give a Straw for all I have, were I but a Looker-on. An. 18. Car. I. 1642. June.

My Lord, as I was this Day at Lincoln, *where I appointed to begin to muster, there came a Messenger from his Majesty with this Letter; which I held it my Duty to acquaint the House with, and likewise my Answer; and, as at* Lincoln, *so in all other Places, I shall be ready to serve your Lordship as*

Your most humble Servant,

Lincoln, June 6, 1642. F. WILLOUGHBY.

P. S. *My Lord, e'er my Letter was sealed up, I could not but give your Lordship an Account in how good a Posture I found the Trained Bands of* Lincoln, *which was far beyond my Expectation; considering the Unhappiness in the Sickness being spread in the Town, which hindered the Appearance of some: But, truly, my Lord, that was fully supplied by a Company of Volunteers, equal in Number and Goodness of Arms to the Trained Bands.*

The King's Letter to Lord *Willoughby* of *Parham.*

CHARLES *R.*

Right Trusty and Well-beloved, we greet you well.

WHereas we understand that you have begun to assemble, train, and muster the Trained Bands of our County of Lincoln, *under Pretence of an Ordinance of Parliament, whereto we have not given our Consent; which is not only contrary to Law, but to our Command and Pleasure, signified by our Proclamation sent to the Sheriff of that our County: Wherefore, that you may not hereafter plead Ignorance of such our Prohibition, we do, by these our Letters, command and charge you, upon your Allegiance, to desist and forbear to raise, muster, train, exercise, or assemble together any Part of the Trained Bands* The King's Letter commanding him to desist.

of

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of that our County, either by yourself, or by any others employed under you, or by Warrant from you.

And because you may, for what you have already done concerning the Militia of that our County, plead that you had not so particular a Command, we shall pass by what you have already done therein; so as presently, upon your Receipt hereof, you shall desist and give over meddling any further with any Thing belonging to the Militia of that our County; but if you shall not presently desist and forbear meddling therewith, we are resolved to call you to a strict Account for your Disobedience therein, after so many particular and legal Commands given you, upon your Allegiance to the contrary, and shall esteem and proceed against you as a Disturber of the Peace of our Kingdom.

Given at our Court at *York*, *June* 4, 1642.

Lord *Willoughby's* Answer to his Majesty.

SIR,

Lord *Willoughby's* Answer to his Majesty.

AS there can be nothing of greater Unhappiness to me, than to receive a Command from your Majesty, whereunto my Endeavours cannot give so ready an Obedience, as my Affections; so I must confess the Difficulty, at this Time, not a little, how to express that Duty which I owe to your Majesty's late Commands, and not falsify that Trust reposed in me by your High Court of Parliament; through whose particular Directions I am now come into this County to settle the Militia, according to the Ordinance of Parliament; which, by the Votes of my Lord Littleton, *and others in the House of Peers, better versed in the Laws than myself, passed as a legal Thing; and hath since been confirmed, if I mistake not, by his Example, and your Majesty's Chief Justice, Sir* John Banks; *both in their accepting Commissions under that Ordinance, and nominating their Deputy-Lieutenants: How much farther they proceeded, I know not.*

But, Sir, if the Opinions of those great Lawyers drew me into an Act unsuitable to your Majesty's Liking

king, I hope the Want of Years will excuse my Want of Judgment. And since, by the Command of the Parliament, I am now so far engaged in their Service, as the sending out Warrants to summon the County to meet me this Day at Lincoln, *and afterwards in other Places, I do most humbly beseech your Majesty not to impose that Command upon me, which must needs render me false to those that rely on me; and so make me more unhappy than any other Misery that can fall upon me.* An. 18. Car. I. 1642. June.

These Things, Sir, I once more humbly beseech your Majesty may be taken into your gracious Consideration; and that you would never be pleased to harbour any Misconceit of me, or of this Action, since nothing hath yet passed by my Commands here, or ever shall, but what shall tend to the Honour and Safety of your Majesty's Person, to the Preservation of the Peace of your Kingdom, and to the Content, I hope, of all your Majesty's Subjects in these Parts; amongst which I remain

Your Majesty's

Most humble and most dutiful
Subject and Servant,
F. WILLOUGHBY.

Mr. *Holles* also acquainted the House, That the Lords had passed a Vote upon Occasion of the foregoing Letters, to which they desired the Commons Concurrence, *in hæc Verba:*

'The Lords have thought fit to let you know, 'how much they value and approve the Endeavours of this Lord, in a Service so much importing the Safety of this Kingdom; and they doubt 'not of your Readiness to concur with them, upon 'all Occasions, to manifest the Sense they have, and 'shall retain, of his Deservings; which appear the 'greater, by how much the Difficulties (by those 'Circumstances you have heard read) have been 'greater. And as my Lords resolve to make his 'Interest their own, in this Service, for the Public 'Good and Safety of this Kingdom, so they desire 'you

The Lords resolve to support the Lord *Willoughby*,

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'you to join with them, in so good and necessary 'a Work.'

The Commons agreed to this Vote; which, together with the Letters, was ordered to be printed and published.

The same Day the Lords took into Consideration the Letter from the nine Lords at *York*, and agreed upon a Conference with the other House about it, expressing their Sense of the Matter, in the following Manner:

And pass a Vote against the nine Peers before-mentioned.

'The Lords having received a Letter from divers 'of their Members, who have withdrawn themselves from their Attendance in Parliament, contrary to the express Orders and Commands of this 'House; tho' this Affront be to their own House, 'and by their own Members, yet, as it concerns the 'Safety of the Kingdom, and the very Being of Parliament, in the Consequence of it, the Lords, in 'that Respect, thought it fit to communicate it to 'the House of Commons; that both Houses may, 'jointly, endeavour to prevent such Practices and 'Designs as, by the Malignant Party and the ill-affected Members of both Houses, may be undertaken, to the Dissolution of the Parliament, invalidating the Acts and Authority thereof, or raising 'a Power in Opposition thereunto; which the Lords 'cannot but conceive those Lords are encouraged 'unto by the Counsels now prevailing, and the 'Forces now raising at *York*; otherwise it is not imaginable, after a Vote passed by both Houses, That 'it appeared the King, seduced by wicked Counsel, 'intended to make War against his Parliament, 'they would have taken the Boldness to have left 'the House, in Contempt of the Command thereof, and have gone to *York*; and, being summoned 'to appear, would have remained there notwithstanding, and have returned so slight and scornful 'an Answer.'

June 9. The Lords having desired to know of the Commons, at a Conference, what real Infor-

'mations

mations they have had, that the King had sent out Summons into the County of *York*, and other Counties, for raising of Troops, *&c.* under Colour of his Majesty's Service, with large Offers to those that would come in: The Commons answered, That they had received Intelligence at their Bar, that the King had sent to summon *Lancashire*, *Cumberland*, and *Westmoreland*; and that some of their Members had Letters of the same: But they were willing to drop those Counties, it being notorious only in *Yorkshire*.

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Informations of the King's raising Troops;

June 10. This Day a Message was brought from the House of Commons, declaring, That their Members had entered into an Engagement, separately, to bring in Money, Plate, and Horses, for the Public Use; as the only Remedy to maintain the Protestant Religion, the King's Authority, and his Person in his Royal Dignity; the free Course of Justice, the Laws of the Land, the Peace of the Kingdom, and the Privileges of Parliament. They also hoped their Lordships would put the same in Execution, and declare themselves and their Affections, what they would do therein, since they had more to lose than the House of Commons. [n]

Whereupon a Subscription is begun, by both Houses, of Money and Horses,

Hereupon the Lords present subscribed to bring in as follows:

	L.	*Horses.*
The Lord Admiral, Earl of *Northumberland*	2000	
Earl of *Essex*	1000	20
Earl of *Holland*		30
Earl of *Pembroke*	1000	40
Earl of *Bedford*	800	

Earl

[n] Lord *Clarendon* informs us, 'That when this Subscription was set on Foot in the House of Commons, Sir *Henry Killigrew*, being called upon, told them, 'If there were Occasion, he would provide 'a good Horse and a good Sword; and made no Question but he 'should find a good Cause:' But, within a very few Days, both he, and all those that were taken Notice of for refusing, found it safest for them to leave the Town; there being very visibly great Animosity against them, both within and without those Walls.'

Clarendon's Hist. 8vo *Edit.* Vol. II. p. 651.

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	L.	Horſes.
Earl of *Leiceſter*, Lord Lieutenant, going for *Ireland*		
Earl of *Bolingbroke*	500	20
Earl of *Lincoln*		20
Lord *Say* and *Sele*	1000	
Earl of *Briſtol* deſired ſome Time to conſider of it.		
Lord *Paget*		10
Lord *Kimbolton*		10
Lord *Roberts*	1000	
Lord *Brooke*	1000	20
Lord *Grey de Werk*	1000	
Lord *Fielding*	500	10
Lord *North*	200	
Lord *St. John*		10
Lord *Rochfort*		10
Lord *Wharton*	300	6

The Horſemen were all to be completely arm'd, and many of the Lords engaged to ſerve in Perſon.

A Committee of Lords was appointed to receive the Anſwers of thoſe Lords who were abſent, how far they would act in this Affair; the Judges and other Aſſiſtants to the Houſe were alſo to be urged to ſubſcribe to it: And, in order to forward this Subſcription more effectually throughout the whole Kingdom, the following Propoſition was agreed to by both Houſes:

And a Propoſition for paying Eight *per Cent.* Intereſt to ſuch as contribute thereto.

'WHereas it appears that the King, ſeduced by wicked Counſel, intends to make War againſt his Parliament; and, in purſuance thereof, under Pretence of a Guard for his Perſon, hath actually begun to levy Forces both of Horſe and Foot, and ſent out Summons throughout the County of *York*, for the Calling together great Numbers; and ſome ill-affected Perſons have been employed in other Parts, to raiſe Troops, under Colour of his Majeſty's Service, making large Offers of Reward and Preferment to ſuch as will come in: And that his Majeſty doth, with a high and forcible Hand, protect and keep away Delinquents,

'quents, not permitting them to make their Ap- An. 18. Car. I.
'pearance, to anſwer ſuch Affronts and Injuries as 1642.
'have been by them offered unto the Parliament; June.
'and thoſe Meſſengers which have been ſent from
'the Houſes for them, have been abuſed, beaten,
'and impriſoned; ſo as the Orders of Parliament,
'which is the higheſt Court of Juſtice in this Realm,
'are not obeyed, and the Authority of it is alto-
'gether ſcorned and vilified; and ſuch Perſons as
'ſtand well affected to it, and declare themſelves
'ſenſible of theſe public Calamities, and of the Vi-
'olations of the Privileges of Parliament, and com-
'mon Liberty of the Subject, are baffled and injured
'by ſeveral Sorts of malignant Men who are about
'the King; ſome whereof, under the Name of Ca-
'valiers, without having Reſpect to the Laws of
'the Land, or any Fear either of God or Man,
'are ready to commit all Manner of Outrage and
'Violence; which muſt needs tend to the Diſſolu-
'tion of this Government, the Deſtroying of Re-
'ligion, Laws, Liberty, and Property; all which
'will be expoſed to the Malice and Violence of
'ſuch deſperate Perſons, as muſt be employed in ſo
'horrid and unnatural an Act as the Overthrowing
'of a Parliament by Force, which is the Support
'and Preſervation of them all: This being duly
'conſidered by the Lords and Commons, and how
'great an Obligation lies upon them in Honour,
'Conſcience, and Duty, according to the high
'Truſt repoſed in them, to uſe all poſſible Means,
'in ſuch Caſes, for the timely Prevention of ſo
'great and irrecoverable Evils; they have thought
'fit to publiſh their Senſe and Apprehenſion of this
'imminent Danger, thereby to excite all well-af-
'fected Perſons to contribute their beſt Aſſiſtance,
'according to their ſolemn Vow and Proteſtation,
'to the Preparations neceſſary for the oppoſing and
'ſuppreſſing of the traiterous Attempts of theſe
'wicked and malignant Counſellors, who ſeek to
'engage the King in ſo dangerous and deſtructive
'an Enterprize, and the whole Kingdom in a Civil
'War,

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War, and deſtroy the Privileges and Being of Parliaments: This Recourſe to the good Affections of thoſe that tender their Religion and juſt Liberties, and the Enjoyments of the bleſſed Fruits of this preſent Parliament, which were almoſt ready to be reaped, and are now as ready to be ruined by thoſe wicked Hands, being the only Remedy left them, under God; and without which they are no longer able to preſerve themſelves, or thoſe by whom they are entruſted.

I. 'They the ſaid Lords and Commons do declare, That whoſoever ſhall bring in any Proportion of ready Money, or Plate, or ſhall underwrite to furniſh and maintain any Number of Horſe, Horſemen, and Arms, for the Preſervation of the Public Peace, and for the Defence of the King and both Houſes of Parliament from Force and Violence, and to uphold the Power and Privileges of Parliament, according to his Proteſtation; it ſhall be held a good and acceptable Service to the Commonwealth, and a Teſtimony of his good Affection to the Proteſtant Religion, the Laws, Liberties, and Peace of this Kingdom, and to the Parliament and Privileges thereof.

'And becauſe a conſiderable Aid cannot be raiſed by few Hands, and the Condition of all Men's Eſtates and Occaſions is not always proportionable to their Affection, therefore no Man's Affection ſhall be meaſured according to the Proportion of his Offer, ſo that he expreſs his Good Will to this Service in any Proportion whatſoever.

II. 'Whoſoever ſhall bring in any Money, or Plate, or ſhall furniſh and maintain any Horſe, Horſemen, and Arms, for the Purpoſes aforeſaid, ſhall have their Money repaid, with Intereſt, at Eight *per Cent.* and the full Value of their Plate, with Conſideration for the Faſhion, not exceeding one Shilling *per* Ounce; and ſhall have full Recompence for all their Charge, in finding, furniſhing, and maintaining of Horſe, Horſemen,

'and

'and Arms; and for this both Houſes of Parlia- An. 18 Car. I.
'ment do engage the Public Faith. 1642.
June.

III. 'Four Aldermen of *London* ſhall be the 'Treaſurers, to receive all ſuch Money and Plate 'as ſhall be brought in for the Purpoſes aforeſaid, 'whoſe Acquittances for the ſame ſhall be a ſuffi- 'cient Ground for the Party, ſo lending Money or 'Plate, to demand it again with Intereſt, and alſo 'Conſideration for the Faſhion of the Plate.

IV. 'Commiſſaries ſhall be appointed to value 'the Horſe and Arms furniſhed for this Service; 'and a Signification, under their Hands, of ſuch Va- 'lues of the Horſe and Arms, and of the Time 'when firſt brought in, ſhall be a Warrant to de- 'mand Satisfaction according to the ſaid Values; 'and they ſhall keep an Account of the Time, from 'the firſt Inrollment of any ſuch Horſe and Horſe- 'men, that ſuch as find and maintain them may be 'repaid, according to the Rate of 2*s.* and 6*d.* *per* '*Diem*, for ſo long Time as they have maintained 'them in this Service; and the Commiſſaries are to 'attend at *Guildhall*, for the receiving and inrolling 'of ſuch Numbers of Horſe as ſhall be brought in.

V. 'Whoſoever ſhall bring in Money, or Plate, 'or ſhall provide and maintain Horſe, Horſemen, 'and Arms, for this Service, ſhall do according to 'their Duty therein. And the Lords and Com- 'mons do engage the Power and Authority of Par- 'liament, to ſave them harmleſs from all Prejudice 'and Inconvenience that may befall them by Occa- 'ſion thereof.

VI. 'The Members of either Houſe, who are 'preſent, ſhall be deſired to declare in their Houſes 'reſpectively, what Money, or Plate, they will 'bring in, or what Horſe, Horſemen, and Arms 'they will find and maintain.

VII. 'It is deſired, That all ſuch as have Reſi- 'dence in or about *London*, or within eighty Miles, 'will bring in their Money, Plate, or Horſe, with- 'in a Fortnight after Notice; and they that dwell 'farther off, within three Weeks.

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VIII. 'And becauſe every Perſon may not be 'provided with preſent Money, or with Horſe, or 'not have his Plate with him, which he means to 'bring in, and yet reſolves to contribute his Part 'within the Time limited; and that it is neceſſary 'it ſhould be preſently known what the Proviſion 'will be, for the effecting this great and important 'Service; it is ordered, 1. That the Committees 'of either Houſe, appointed for that Purpoſe re-'ſpectively, ſhall receive the Subſcriptions of ſuch 'Member of each Houſe, as have not declared 'themſelves in the Houſe, or are abſent upon the 'Public Service, or for their private Occaſions. '2. That the Committee in *London*, intruſted with 'the Militia, ſhall receive the Subſcriptions in *Lon-'don* and *Middleſex*. 3. That ſome Perſons, no-'minated by the Knights and Burgeſſes of each 'County, and approved by both Houſes, ſhall be 'appointed to receive the Subſcriptions in the ſeveral 'Counties.

IX. 'Laſtly, Whatſoever is brought in ſhall 'not at all be employed upon any other Occaſion, 'than to the Purpoſes aforeſaid; which are to 'maintain the Proteſtant Religion, the King's Au-'thority, and his Perſon in his Royal Dignity; the 'free Courſe of Juſtice, the Laws of the Land, the 'Peace of the Kingdom, and the Privilege of Par-'liament, againſt any Force which ſhall oppoſe 'them. And this by the Direction of both Houſes 'of Parliament.

Theſe Propoſitions of the Parliament had ſuch Effect, that Lord *Clarendon* informs us, 'It was hardly credible what a vaſt Proportion of Plate was brought in to their Treaſurers within ten Days, there being hardly Men enough to receive it, or Room to lay it in; and the Throng being ſo great of the Bringers, that, in two Days Attendance, many could not be diſcharged of their Seditious Offerings.' —Mr. *Whitlocke* adds, 'That the Parliament was not only furniſhed with Money by Loans upon the Public

Upon which vaſt Sums are rais'd.

Public Faith, but by the Endeavours of ſundry Miniſters and others, a great Quantity of Money, Plate, and Ammunition was brought in; even by ſome poor Women, to their Wedding-Rings and Bodkins. [o] An. 18. Car. I. 1642. June.

But to return to our *Journals*.——

Mr. *Holles* having reported the Opinion of the Lords concerning the Letter from the Nine Peers at *York*, a Motion was made, That the Departing of theſe Nine Lords from the Parliament, without Leave, after ſuch Time as both Houſes had declared, that the King, ſeduced by wicked Counſel, intended to make War againſt the Parliament; and their ſtill continuing at *York*, notwithſtanding their Summons and Commands, is a high Affront and Contempt of both Houſes: And that the ſaid Lords therein did as much as in them lay, that the Service of Parliament might be deſerted; and are juſtly ſuſpected to promote a War againſt the Parliament. The previous Queſtion being put, it was carried in the Affirmative by 109 Voices againſt 51. The Tellers on this remarkable Occaſion were, for the Yeas, Mr. *Holles* and Mr. *Cromwell*; for the Noes, Mr. *Waller* and Mr. *White*. The Nine Peers at *York*, voted guilty of a Contempt,

Then it was reſolved, That a Committee be appointed to draw up an Impeachment againſt the ſaid Nine Peers. And an Impeachment ordered againſt them.

June 11. [p] Both Houſes were now very buſy in making Orders for ſtrengthening themſelves, and preventing any Men, Horſes, Armour, and Ammunition, from reſorting or being carried, for the King's Uſe, to *York*. The Commons informed the Lords of Letters of Intelligence they had received from *Holland*, concerning the buying up Stores of Artillery, both great and ſmall; amongſt Informations of Ammunition being bought abroad, for the King's Uſe.

[o] *Clarendon*, p. 651. *Memorials*, p. 58.

[p] This Day the Commons took Notice of a Picture, or Print, of Sir *John Hotham* on Horſeback upon the Walls of *Hull*, and the King on Foot before the Walls; and ordered this ſcandalous Picture, as it is called, to be burnt by the common Hangman, and the whole Impreſſion to be ſeized.

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the reſt a Mortar for ſhooting Fire-Balls of 4800*lb.* Weight, ſuch, as one of the Letter-Writers ſays, He hoped *England* would never need; and ſuch *Tormenta bellica* as, he believed, were never uſed there in any Age before. [q]

The Ordinance of Militia vigorouſly executed in *Lincolnſhire*.

June 13. The Lords received more Letters from the Lord *Willoughby* of *Parham*, reciting his Activeneſs in raiſing Forces, muſtering the Trained Bands, &c. in *Lincolnſhire* and the neighbouring Counties, Copies of which he tranſmitted to the Houſe. By theſe Accounts it appears that the Lord *Willoughby* and his Friends had thoſe Parts chiefly in Command; but were warmly oppoſed by the Earl of *Lindſey*. Sir *Philip Tyrwhit*, and Sir *William Pelham*, of *Brokleſby*: The two laſt were ordered to be ſent for as Delinquents. A Committee of four Members of the Houſe of Commons were ſent into *Lancaſhire*, with Inſtructions of the like Nature as the former: Their Names were, Mr. *Aſhton*, Mr. *Shuttleworth*, Mr. *Rigby*, and Mr. *Moore*.

June 14. The Lords had been informed, by the Commons, of a Petition that was then framing in *Somerſetſhire*, to be preſented to both Houſes, in which were great Aſperſions caſt upon the Parliament: A Copy of it was procured, and this Day read to the Houſe; which, becauſe it ſhews what Senſe ſome People had then of the Parliament's Proceedings, we give in its own Words. [r]

To the moſt High and Honourable Houſes of LORDS and COMMONS,

The HUMBLE PETITION of the KNIGHTS, GENTRY, CLERGY, and FREEHOLDERS of the County of *Somerſet*.

A Petition from *Somerſetſhire*, in Favour of the King's Propoſal for an Accommodation.

WE, with all Thankfulneſs, do acknowledge your great Care and Pains, in the Service of the Commonwealth, whereby you have obtained thoſe good Laws,

q Theſe Letters of Intelligence are at large in *Ruſhworth*, Vol. IV. p. 745, and *Huſbands*, p. 343.

r This Petition is taken from the *Lords Journals*: It is not entered in thoſe of the Commons.

Laws, which, by his Majesty's Graciousness and Favour, have been already enacted and, not doubting of the Continuance of these Favours still in you, for the Good and Peace of this Kingdom, and of your favourable Acceptance of these our humble Desires, tho' we have been discouraged, heretofore, in Expressions of the like Kind, we do again humbly desire, That the Church and Liturgy, established by Law, may be continued and obeyed, untill such Time as the Wisdom of the King and Parliament, with the Assistance of a free and well chosen Synod, of the most grave and learned Divines of this Kingdom, shall make some Reformation or Alteration therein; and, in the mean Time, that the Disturbers thereof may be discountenanced and punished. An. 18. Car. I. 1642. June.

That you would be pleased to bend your Endeavours to remove all Jealousies and Misunderstandings between his Majesty and the Parliament, the Distempers within being the greatest Evil that can happen unto us, and which we most fear; and, to that End, to take into your Considerations his Majesty's Message of the 20th *of* January, *as the Means himself proposes for an Accommodation; and that you would provide for his Security, by declaring against Tumults and unlawful Assemblies; and that you would take Care to suppress seditious Sermons and Pamphlets, which his Majesty declares he expects, as the Means to invite him to come near to his Parliament.*

That seeing his Majesty and the Parliament do not agree in a new Way for settling the Militia, it is humbly desired that the Trained Bands may be put into such a Posture, and governed, as in the Time of Queen Elizabeth, *untill a Law be made; and that the Disputes about the Manner of doing it may not actuate Division in the mean Time: That the Subject may have the Benefit of the Petition of Right, both for his Person and Estate, in all Causes and in all Courts; and that the Laws of the Kingdom may be our only Rule of Government and Obedience.*

That whereas great Sums of Money have been levied by Authority of Parliament, and greater are now required, we beseech you to take Notice, that the

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Country is much impoverished, and will, unwillingly, bear any farther Burthen of this Kind, but such as shall be employed for the general Service of this Kingdom and that bleeding Kingdom of Ireland; *and therefore we most humbly pray, that it may be made known how those former Collections have been disposed of; which will be a great Encouragement for the readier Payment of the present.*

Lastly, *Since his Majesty hath often, with sacred Protestations, declared, to his Parliament and People, That he will ever maintain the true Protestant Religion established, the Laws of the Kingdom, and the Liberty of the Subject, which we do confidently believe; we do, therefore, humbly beseech you, that Disputes about Prerogative, and the Fear of a Malignant Party, or other Jealousies, may not embroil you in the greatest of Evils, as are those of Civil Dissentions, or Encouragements to act contrary to Conscience; but that you would do your utmost to lay aside all Distempers; and heedfully watch over the Peace and Safety of this Kingdom, which we will join with you in our earnest Prayers to preserve, and willingly adventure our Lives and Fortunes.*

The Persons who were to have presented this Petition to the Parliament, if there had not been a Stop put to it, were,

Sir *Francis Pawlet*,
Sir *Amias Pawlet*,
Sir *Henry Berkeley*,
Sir *Charles Berkeley*,
Sir *Edward Berkeley*,
Sir *Francis Doddington*,
Sir *Francis Hawley*,
Sir *Samuel Gorges*,
Sir *Robert Philips*.

The chief of the Petitioners censured by the Parliament.

The Lords ordered Sir *Francis Doddington* and Sir *Charles Berkeley* to be summoned to attend the House presently; and others, mentioned by the Commons, to be sent for on Account of this Petition.

Sir *William Brereton*, with others, were sent down with Instructions to act for the Parliament in the County of *Chester*.

The

The following Letter from the Lord-Keeper, directed to the Lord *Willoughby* of *Parham*, was read in the House of Lords; which we give from their *Journals:*

An. 18. Car. I. 1642. June.

My Lord,

HIS Majesty was this Day pleased to shew me a Letter of your Lordship's unto him, wherein you have expressed that I gave my Vote in the House of Peers for the Ordinance touching the Militia; which he questioning, in regard he heard it otherwise related, I, thereupon, informed him the Truth; which is, That I was absent from the House on making the first Ordinance, which was presented to him for his Assent; and being present when the second was in Agitation, I gave my Vote against it; which his Majesty hath commanded me to let you know, and is the Occasion of this Letter from

The Lord-Keeper's Letter, disavowing his Voting for the Ordinance of the Militia.

Your Lordship's humble Servant,

York, June 7, 1642. EDW. LITTLETON.

But notwithstanding the Lord-Keeper's positive Denial of his Voting in favour of the Ordinance for the Militia, we find the contrary Account of his Conduct, as before given from Lord *Clarendon* and Mr. *Whitlocke*, fully justified by the following Entry in the *Lords Journals:*

The Lords ordered a Committee of three to search the *Journals* for the Truth of this Matter; who immediately reported, 'That the Lord-Keeper was present when the Petition to the King concerning the Militia was agreed on: That he was present, voted, and argued for the following Vote, viz. *That, in case of extreme Danger, and of his Majesty's Refusal, the Ordinance agreed on by both Houses doth oblige the People, and ought to be obeyed by the Fundamental Laws of this Kingdom.* Lastly, That he named his Deputy-Lieutenants, and agreed to the several Forms of Deputations of the Militia: These Particulars, sign'd by the Clerk, were ordered to be sent to the Lord *Willoughby*, and forthwith printed and published.

The Lords appoint a Committee to inquire into that Affair.

June

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June 15. A Meſſage was brought from the Lower Houſe by Mr. *Denzil Holles*, containing an Impeachment againſt the Nine Lords who had wrote and ſigned the Letter from *York*; which he introduced with the following Speech: (s)

Mr. *Holles*'s Speech upon Impeaching the Nine Lords at *York*.

My Lords,

'BY the Command of the Knights, Citizens, and Burgeſſes of the Houſe of Commons, I come hither unto your Lordſhips in the Behalf of the Parliament, or rather in the Behalf of the whole Kingdom, labouring with much Diſtraction, many Fears, and great Apprehenſions of Evil and Miſchief intended againſt it; now hatching and preparing by that Malignant Party, which thirſts after the Deſtruction of Religion, Laws, and Liberty; all which are folded up, cheriſhed, and preſerved in the careful Boſom of the Parliament.

'My Lords, the Parliament is the Foundation and Baſis of Government, and conſequenly of the Peace and Happineſs of the Kingdom. As it creates the Law, by which we are ruled and governed in Peace and Quietneſs, ſo it preſerves the Law in Power and Authority: It watches over our Religion, that it be not ſupplanted and changed by ſuperſtitious Innovations; the Truth and Subſtance of it eaten up with Formality, vain Pomp, and unneceſſary Ceremonies; the groſs Errors of Popery and Arminianiſm impoſed upon us, as the Doctrine of our Church; a Way opened to all Licentiouſneſs; and Occaſion, hereby, taken to oppreſs and perſecute all religious and conſcientious Men that ſhall oppoſe theſe Proceedings, as hath been uſed of late. It is the Conſervative of the Rights and Liberties of the Subject, and the Corrective of Injuſtice and Oppreſſion; whereby equal Right is diſtributed to all,

(s) This Speech was ordered, by the Commons, to be printed; and by ſuch only as Mr. *Holles* ſhould appoint: Accordingly we find in the Title thereof, this *Imprimatur*:

I appoint that none ſhall print this but Thomas Underhill.

DENZIL HOLLES.

This gave Occaſion to the King, in one of his Declarations, afterwards, to ſtyle Mr. *Holles* a *Monopoliſt*.

all, and every Man hath that Benefit and Protection of Juſtice which is due unto him. It is that by which alone Common Neceſſities can be provided for, and Public Fears prevented: So that I may ſay, not only the Peace, Happineſs, and Well-being, but the very Being of this Kingdom, can have no other Bottom to ſtand upon but the Parliament, it being the Foundation upon which the whole Frame of the Commonwealth is built. An. 18. Car. I. 1642 June.

'Therefore thoſe who would deſtroy the Building, apply themſelves to undermine the Foundation. If they can take away Parliaments, or but weaken the Power and Authority of Parliament, which is all one, (for if it once have no Power, it will ſoon have no Being) they know then all will be at their Mercy, nothing will ſtand in their Way to oppoſe them; but a Flood of Violence will run over and cover the whole Surface of the Kingdom, and carry away all both preſent Enjoyment, and future Hope of Religion, Liberty, and whatſoever elſe is precious and dear unto us.

'And, accordingly, it hath ever been the Policy of evil Counſellors (who are the greateſt Enemies we have in the World, or can have) to ſtrike at Parliaments, keep off Parliaments, break Parliaments, or divide Parliaments, by making Factions, caſting in Diverſions and Obſtructions, to hinder and interrupt the Proceedings of Parliament: All againſt the Parliament.

'Your Lordſhips have had Experience of this Truth in this Parliament; a Succeſſion of Deſigns upon it: Firſt to awe it, and take away the Freedom of it by the Terror of an Army; then to bring Force againſt it, actually to aſſault it; and, with the Sword, cut in ſunder this only Band, which ties and knits up King and People, the People among themſelves, and the whole Frame of this Government, in one firm, and I hope indiſſoluble, Knot of Peace and Unity.

'God diverted thoſe Deſigns, and did blow upon them; preſently another is ſet upon, which was to obſtruct and hinder our Proceedings, that, in the mean

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mean Time, the Flame of Rebellion might consume the Kingdom of *Ireland*; and Distempers, Distractions and Jealousies be fomented here at home, to tear out the Bowels of this Kingdom; the Parliament being disabled from helping it, by occasion of so many Diversions, so much Business cut out unto it, many Obstructions and Difficulties; especially that great one from which all the rest receive Countenance and Support, his Majesty's absenting himself, and not concurring with us; thus withdrawing both his Presence and Influence; by which Means such Remedies could not be applied as were necessary; and what was done, was done with infinite Trouble to the Parliament, and excessive Charge to the Subject, double, treble, what otherwise would have served the Turn: So the Subject is grieved and oppressed with Charge, and the Blame of all is laid upon the Parliament; and the Parliament unjustly said to be the Cause of all those Evils, which the Authors of them had made so great; and so confirmed and secured by the frequent Interruptions of the Parliament, that they could not suddenly, nor easily, be suppressed or removed.

'Well, but, by God's infinite Blessing, the Parliament was in a fair Possibility to wade through this likewise; and though the Night had been black and stormy, some Day began to appear: Miraculously our Arms have prospered in *Ireland*; and, God be praised, the malevolent Practices of those Vipers at home, as they appear'd, were, in some Sort, master'd; and the Parliament began to act and operate towards the settling of the great Affairs both of Church and State, and providing for the Defence and Safety of this Kingdom, against either foreign Invasion, or any stirring of the disaffected Party among themselves.

'Then three Ways are together essayed for the weakening and invalidating the Proceedings and Power of the Parliament, and making Way for the utter Subversion of it.

'*One*, Force is gathered together at *York*, under Pretence of a Guard for his Majesty's Person, to make

make an Oppoſition againſt the Parliament; and, by a ſtrong Hand, to ſupport and protect Delinquents, ſo as no Order of Parliament can be obeyed, but on the other Side ſlighted and ſcorned; ſo to make the Parliament of no Reputation, to be but *Imago Parliamenti*, a meer Shadow, without Subſtance, without Efficacy. An. 18. Car. I. 1642. June.

'*Another*, To ſend out, in his Majeſty's Name, (and as Declarations and Meſſages from him) bitter Invectives againſt the Parliament, to perplex it, and engage it, in the Expence of Time, to anſwer them; and beſides, cunningly to inſinuate and infuſe into the People, by falſe Colours and Gloſſes, a Diſopinion and Diſlike of the Parliament; and, if it be poſſible, to ſtir up their Spirits to riſe againſt it, to deſtroy it, (and, in it, all other Parliaments) to the Ruin of themſelves, their Wives and Children.

'The *third* Plot is, The Members are drawn away, and perſuaded to forſake their Duty and Attendance here, and go down to *York*; thereby to blemiſh the Actions of both Houſes, as done by a few and inconſiderable Number, and rather a Party than a Parliament; and, perhaps, to raiſe and ſet up an Anti-Parliament there.

'My Lords, this is now the great Deſign whereby they hope, by little and little, the Parliament ſhall even bleed to Death, and moulder to nothing, the Members dropping away, one after another: A deſperate and dangerous Practice, and as your Lordſhips well obſerved (when you were pleaſed to communicate this Buſineſs to us) an Effect of the evil Counſels now prevailing, and tending to the Diſſolution of the Parliament: Of this Parliament, which, under God, muſt be the Preſerver of three Kingdoms, and keep them firm and loyal to their King ſubject to his Crown, ſave them from being turned into a Chaos of Diſorder and Confuſion, and made a diſmal Spectacle of Miſery and Deſolation: This Parliament, which is the laſt Hope of the long-oppreſſed, and, in other Countries, even almoſt wholly-deſtroyed, Proteſtant Religion: This Parliament, which is the only Means to continue us to be

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a Nation of Freemen, and not Slaves; to be Owners of any Thing; that we may call our Wives, our Children, our Estates, nay our Bodies, our own: In a Word, which must stand in the Gap to prevent an Inlet and Inundation of all Misery and Confusion.

'My Lords, this Parliament they desire to destroy; but I hope it will destroy the Destroyers, and be a Wall of Fire to consume them, as it is a Wall of Brass to us, to defend King and Kingdom, us, and all we have.

'Your Lordships wisely foresaw this Mischief, and as wisely have endeavoured to prevent it, by making your Orders, to keep your Members here; as that of the ninth of *April*, and several other Orders, enjoining them all to attend; thereby restraining them from repairing to *York*, where the Clouds were observed to gather so fast, and threaten a Storm, and such Preparations to be made against the Parliament, that it necessitated both Houses to pass a Vote, *That the King, seduced by wicked Counsel, intended to make War against the Parliament; and all who shall serve, or assist, in such Wars, are declared to be Traitors*; which Vote passed the 20th of *May*; so setting a Mark upon that Place, and declaring their Opinion concerning those who should at this Time resort thither.

'Yet now, in such a Conjuncture of Time, when the Kingdom had never more Need of a Parliament, and the Parliament never more Need of all the Help and Assistance of the best Endeavour and Advice of every Member; the Safety, and even the Being, of the three Kingdoms depending upon it; after such Orders and Commands of your Lordships House to the contrary; such a Vote of both Houses; and expressly against their Duty, being called thither by Writ, under the Great Seal; which is the King's greatest and highest Command, and not controlable, nor to be dispensed with, by any other Command from him whatsoever; and call'd, to treat and consult *de arduis Regni*, the great, urgent, and pressing Affairs of the Kingdom, never more urgent, never more pressing: Notwithstanding all this, these Lords, the Earls of *Northampton*, *Devonshire*,

Devonshire, *Dover*, and *Monmouth*, the Lords *Andover*, *Rich*, *Grey*, *Coventry*, and *Capel*, have left their Stations, withdrawn themselves, and are gone to *York*; and being summoned to appear by an Order of the 30th of *May*, instead of Obedience, return a Refusal, by a slighting and scornful Letter, which hath been so adjudged both by your Lordships and the House of Commons. An. 18. Car. I. 1642. June.

'My Lords, the House of Commons hath likewise, upon the Consideration and Debate of this Business, finding it so much to concern the Safety of the Kingdom, and the very Being of the Parliament, passed this Vote:

'*That the Departing of these Nine Lords from the Parliament, without Leave, after such Time as both Houses had declared, That the King, seduced by wicked Counsel, intended to make War against the Parliament; and their still continuing at* York, *notwithstanding their Summons and Command, is a high Affront and Contempt of both Houses; and that the said Lords, therein, did as much as in them lay, that the Service of the Parliament might be deserted; and are justly suspected to promote a War against the Parliament.*

'And the House, in further Prosecution of their Duty in this particular, and in pursuance of their Protestation, which obliges them to endeavour to bring to condign Punishment all such high Offenders against not only the Privileges, but the very Essence of Parliament, have sent me up to impeach these Lords, and desire that speedy and exemplary Justice may be done upon them.

'And, accordingly, I do here, in the Name of the Knights, Citizens, and Burgesses of the Commons House assembled in Parliament, and in the Name of all the Commons of *England*, impeach *Spencer* Earl of *Northampton*, *William* Earl of *Devonshire*, *Henry* Earl of *Dover*, *Henry* Earl of *Monmouth*, *Charles* Lord *Howard* of *Charlton*, *Robert* Lord *Rich*, *Charles* Lord *Grey* of *Ruthyn*, *Thomas* Lord *Coventry*, and *Arthur* Lord *Capel*, for these high Crimes and Misdemeanors following, *viz.*

'For

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'For that, contrary to their Duty, they being Peers of the Realm, and ſummoned by Writ to attend the Parliament; and contrary to an Order of the Houſe of Peers of the ninth of *April* laſt, and ſeveral other Orders, requiring the Attendance of the Members of that Houſe; and after a Vote paſſed in both Houſes the 20th of *May* laſt, *That the King, ſeduced by wicked Counſel, intended to make War againſt the Parliament, and that whoſoever ſerved, or aſſiſted, him in that War, was adjudged a Traitor*; did, notwithſtanding, afterwards, in the ſame Month of *May*, contemptuouſly, having Notice of the ſaid Votes and Orders, withdraw themſelves from the ſaid Houſe of Peers, and repair to the City of *York*; where the Preparations of the ſaid War were, and yet are, in Contrivance and Agitation, they knowing of ſuch Preparations; and being, by an Order of the 30th of *May*, duly ſummoned by the Houſe of Peers, to make their Appearance before that Houſe upon the 8th Day of *June* Inſtant, they refuſed to appear; and returned a ſcornful Anſwer, by a Letter under their Hands, directed to the Speaker of the Lords Houſe, and remaining there upon Record.

'For which Crimes and Miſdemeanors, to the Interruption of the Proceedings of Parliament and great Affairs of the Kingdom; tending to the Diſſolution of the Parliament, and Diſturbance of the Peace of the Kingdom; I am commanded, in the Name of the ſaid Commons, to demand of your Lordſhips, That the ſaid Lords may be forthwith put to their Anſwer, and receive ſpeedy and exemplary Puniſhment, according to their Demerits:

'The Commons ſaving to themſelves Liberty, at all Times hereafter, to exhibit any other or further Impeachment or Accuſation againſt the ſaid Lords, or any of them.

Ordered, That the impeached Lords ſhould have Notice to anſwer in ſixteen Days Time. And both the Houſes agreed to recall their joint Committee at *York*.

The

The ſame Day two of the Company of Stationers were ſent for by the Commons, and they attending accordingly, Mr. Speaker ſtrictly enjoined them to be very careful and diligent in ſearching after any Thing that is printed, that may reflect upon his Majeſty: And an Ordinance was ordered to be drawn, for preventing the printing and publiſhing of any ſcandalous or libellous Pamphlet, that may reflect upon the King or the Kingdom, the Parliament, or *Scotland*; and for the ſuppreſſing of ſuch as have already been printed. An. 18. Car. I. 1642. June. Order againſt printing of ſcandalous Pamphlets.

June 16. The Lords received Intelligence from their Lord-Lieutenants in ſeveral Counties in *England*, of their great Succeſs in putting the Parliament's Orders, concerning the Militia, in Execution; and the great Chearfulneſs the Country expreſſed in ſubmitting to their Commands. Many Orders were iſſued concerning raiſing Men, and buying of Horſes and Armour: In ſhort, the whole Military and Naval Force of this Kingdom ſeem, by the *Journals*, to be as much put into Motion, as if a general Invaſion was expected from all the united Forces of *Europe*. The Parliament's great Succeſs in executing their Ordinance for the Militia.

This being the Day appointed for a Call of the Houſe of Commons, the ſame was done with great Strictneſs; when it appears, by the *Journals*, that ſixty-five Members, there named, were abſent. It may eaſily be ſuppoſed that theſe Gentlemen had all, or moſt of them, deſerted the Houſe, and were gone to the King at *York*. On this Deficiency a Motion being made, That thoſe abſent Members, whoſe Names were now read, ſhould not ſit in the Houſe, till they had made their Excuſe to a Committee appointed for it, and that Excuſe reported and allowed of by the Houſe, it was carried in the Affirmative by 147 Voices againſt 91. This Committee were alſo authorized to conſider about levying the Fines of 100 *l.* before impoſed upon the abſent Members: But another Motion being made, That whatſoever Member ſhould withdraw himſelf from the Service of the Houſe, without particular A Call of the Houſe of Commons.

An. 18. Car. I. 1642. June. ticular Leave of the Houſe firſt obtained, ſhall forfeit 20*l.* it was carried in the Negative, by 100 againſt 79.

About this Time the King publiſhed the following Declaration, which he had made to all the Peers, and others of his Privy Council, at *York*, the 13th of this Month; together with their Engagement thereupon.

CHARLES *R.*

The King's Declaration to his Privy Council at *York*.

'WE do declare, That we will not require, nor exact, any Obedience from you, but what ſhall be warranted by the known Law of the Land; as we do expect that you ſhall not yield to any Commands not legally grounded, or impoſed, by any other.

'And we do further declare, That we will defend every one of you, and all ſuch as ſhall refuſe any ſuch Commands, whether they proceed from Votes and Orders of both Houſes, or any other Way, from all Dangers and Hazards whatſoever.

'And we do further declare, That we will defend the true Proteſtant Religion eſtabliſhed by the Law of the Land, the lawful Liberties of the Subjects of *England*, and juſt Privileges of all the three Eſtates of Parliament; and ſhall require no further Obedience from you, than as accordingly we ſhall perform the ſame.

'And we do declare that we will not (as is falſly pretended) engage you, or any of you, in any War againſt the Parliament, except it be for our neceſſary Defence and Safety againſt ſuch as do inſolently invade or attempt againſt us, or ſuch as ſhall adhere to us.'

The ENGAGEMENT of the LORDS and others.

Their Engagement thereupon.

WE do engage ourſelves not to obey any Orders or Commands whatſoever, not warranted by the known Laws of the Land.

We do engage ourſelves to defend your Majeſty's Perſon, Crown, and Dignity, together with your Ma-

Majesty's just and legal Prerogative, against all Persons and Power whatsoever. An. 18. Car. I. 1642. June.

We will defend the true Protestant Religion established by the Law of the Land, the lawful Liberties of the Subjects of England, *and just Privileges of your Majesty and both your Houses of Parliament.*

And, lastly, we engage ourselves not to obey any Rule, Order, or Ordinance whatsoever, concerning any Militia, that hath not the Royal Assent. t

York, June 13, 1642. Subscibed by

Lord-Keeper Littleton,
Duke of Richmond,
Marquis of Hertford,
Lord Great Chamberlain, Earl of Lindsey,
Earl of Cumberland,
Earl of Bath,
**Earl of* Huntingdon,
Earl of Southampton,
Earl of Dorset,
Earl of Salisbury,
Earl of Northampton,
Earl of Devonshire,
Earl of Cambridge,
Earl of Bristol,
Earl of Clare,
Earl of Westmoreland,
Earl of Berkshire,
Earl of Monmouth,
Earl Rivers,
**Earl of* Newcastle,
Earl of Dover,
Earl of Caernarvon,
Earl of Newport,
Lord Grey *of* Ruthyn,
Lord Mowbray *and* Maltravers,
**Lord* Fauconberg,
Lord Willoughby, *of* Eresby,
Lord Howard *of* Charlton, (*Viscount* Andover)
Lord Pierepoint (*Viscount* Newark,)
Lord Paulet,
Lord Lovelace,
Lord Rich,
**Lord* Chandois,
Lord Saville,
Lord Paget,
Lord Mohun,
Lord Coventry,
Lord Dunsmore,
Lord Seymour,
Lord Capel,
Lord Falkland, *Secretary of State*,
Mr. Comptroller, Sir Peter Wych,
Mr. Secretary Nicholas,
Mr. Chancellor of the Exchequer, *Sir* John Colepeper,
Lord Chief Justice Banks.

t This List is taken from the original Editio :, printed at *York* by *Robert Barker*, in the Collections of the late Sir *John Napier*, Bart. The Names of the Peers distinguished thus * are omitted in Lord *Clarendon's* List.

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To these were annexed a solemn Profession of the King, disavowing any Intentions of raising a War against his Parliament; and also a Declaration of the Peers, and others of his Privy Council, in Confirmation thereof. And first

His Majesty's DECLARATION *and* PROFESSION.

The King disavows any Intention of raising a War against the Parliament,

'THERE having been many Rumours spread, and Informations given, which may have induced many to believe that we intend to make War against our Parliament; we profess before God, and declare to all the World, that we always have and do abhor all such Designs; and desire all our Nobility and Council, who are here upon the Place, to declare whether they have not been Witnesses of our frequent and earnest Declarations and Professions to this Purpose; whether they see any Colour of Preparations, or Counsels, that might reasonably beget a Belief of any such Design; and whether they be not fully persuaded that we have no such Intention; but that all our Endeavours (according to our many Professions) tend to the firm and constant Settlement of the true Protestant Religion, the just Privileges of Parliament, the Liberty of the Subject, the Law, Peace, and Prosperity of this Kingdom.

Given at our Court at York *this* 15*th of* June, 1642.

The DECLARATION *and* PROFESSION *of the Lords and others of his Majesty Privy Council at* York.

York, June 15, 1642.

Which is confirm'd by his Privy Council.

WE whose Names are underwritten, in Obedience to his Majesty's Desire, and out of the Duty which we owe to his Majesty's Honour and to Truth, being here upon the Place, and Witnesses of his Majesty's frequent and earnest Declarations and Professions of his abhorring all Designs of making War upon his Parliament; and not seeing any Colour of Preparations, or Counsels, that might reasonably beget the Belief of any such Design; do profess before God, and testify to all the World, That we are fully persuaded that his Majesty hath no such Intention; but that all his

his Endeavours tend to the firm and constant Settlement of the true Protestant Religion, the just Privileges of Parliament, the Liberty of the Subject, the Law, Peace, and Prosperity of this Kingdom. An. 18. Car. I. 1642. June.

Subscribed by the same Lords and others, as before.

Lord *Clarendon*, who is more than ordinarily circumstantial in the Transactions of this Month, informs us of an Affair not taken Notice of by the other contemporary Writers, which we shall give in his own Words.—Speaking of the great Number of Peers and Members of the House of Commons, who now resorted daily to the King at *York*, he observes, 'This glorious Convention was rather an Ornament to his Court, than any great Advantage to his Counsels; and the Use of them more to discredit the small Remainder at *Westminster*, and that the People might see the Number and Quality of the Dissenters, than that they contributed any Thing to the active Improvement of his Affairs.'—As a Proof of which he adds, 'That the King desired the Peers in Council, to set down, in Writing, the Affronts and Violence which had been offered to them at *London*, by which their Presence in the great Council of the Kingdom was rendered both unsafe and dishonourable; the which they the more willingly condescended to, for that the *London* Pamphlets already aspersed them as Deserters of the Parliament, and Betrayers of the Liberty of their Country. An Instrument was drawn up and agreed upon between them, in which they set down 'the 'Tumults, and the Violence offer'd to particular Per- 'sons in those Tumults; the Threats and Menaces 'of the Rabble at the Doors of the House, when they 'had a Mind any exorbitant Thing should pass; the 'Breach and Violation of the old Orders and Rules 'of Parliament, whilst Matters were in Debate, and 'the resuming Matters again in a thin House; and 'reversing, waving, or contradicting Resolutions 'made in a full House: And, *lastly*, Mr. *Holles*'s 'coming to the Bar, and demanding the Names of

A Farther Declaration, subscribed by them, in his Favour.

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'those Lords who refused to consent to the Militia, 'when the Multitude without menaced and threat-'ned all those Dissenters.' After which they said, 'They conceived they could not be present there 'with Honour, Freedom, or Safety; and therefore 'forebore to be any more present; and so all those 'Votes, Conclusions, and Declarations had passed, 'which had begot these Distractions throughout the 'Kingdom.' And this they delivered to the King, signed under their Hands. And yet (which is a sufficient Instance how unendued Men were with that Spirit and Courage which was requisite) the next Day after the Delivery many Lords came to his Majesty, and besought him, 'That he would 'by no Means publish that Paper, but keep it in his 'own Hands;' some of them saying, 'That if it were 'published, they would disavow it:' So that material and weighty Evidence, which then might have been of sovereign Use to the King, was rendered utterly ineffectual to his Service; his Majesty finding it necessary to engage his Princely Word to to them, 'never to make it public without their Consent;' which he performed most punctually; and so, to this Day, it was never divulged.'—Thus far the Noble Historian.

The King, being thus disappointed, was obliged to content himself with the foregoing Engagement and Testimony of the Lords and Counsellors; which were immediately printed and published, together with the following Declaration:

CHARLES *R.*

And a Declaration of the King on the same Subject.

'THOUGH we have, within these last seven Months, met with so many several Encounters of strange and unusual Declarations, under the 'Names of both our Houses of Parliament, that we 'should not be amazed at any new Prodigy of that 'Kind; and though their last, of the 26th of *May*, 'gave us a fair Warning that, the Contrivers of it 'having spent all their Stock of bitter and reproachful Language upon us, we were to expect they

'should

'should now break out into some bold and disloyal Actions against us: And having, by that Declaration, (as far as in them lies) divested us of that Pre-eminence and Authority which God, the Law, the Custom and Consent of this Nation, had placed in us; and assumed it to themselves; that they should likewise, with Expedition, put forth the Fruits of that Supreme Power, for the violating and suppressing that Power they despised; (an Effect of which Resolution their wild Declaration against our Proclamation concerning the pretended Ordinance for the Militia, and the Punishing of the Proclaimers, appears to be) yet we must confess, in their last Attempt, (we speak of the last we know, they may probably since, or at this present, have outdone that too) they have outdone what we conceive was their present Intention; and whosoever hears of Propositions and Orders for bringing in of Money and Plate to maintain Horse, Horsemen, and Arms, for the Preservation of the Public Peace, or for the Defence of the King and both Houses of Parliament, (such is their Declaration, or what else they please to call it, of the 10th of *June*) will surely believe the Peace of this Kingdom to be extremely shaken; and, at least, the King himself to be consulted with, and privy to these Propositions: But we hope that (when our good Subjects shall find, that this goodly Pretence of the Defence of the King is but a specious Bait to seduce weak and inconsiderate Men into the highest Acts of Disobedience and Disloyalty against us, and of Violence and Destruction upon the Laws and Constitutions of the Kingdom) they will no longer be captivated by an implicit Reverence to the Name of both Houses of Parliament; but will carefully examine and consider what Number of Persons are present, and what Persons are prevalent in those Consultations; and how the Debates are probably managed, from whence such horrid and monstrous Conclusions do result; and will, at least, weigh the Reputation, Wisdom, and Affection of those

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'who are notoriously known, out of the very Horror of their Proceedings, to have withdrawn themselves, or, by their Skill and Violence, to be driven from them and their Councils.

'Whilst their Fears and Jealousies did arise, or were infused into the People, from Discourses of the Rebels in *Ireland*, of Skippers at *Rotterdam*, of Forces from *Denmark*, *France*, or *Spain*, (how improbable and ridiculous soever that Bundle of Informations appeared to all wise and knowing Men) 'tis no Wonder if the Easiness to deceive, and the Willingness to be deceived, did prevail over many of our weak Subjects to believe, that the Dangers which they did not see might proceed from Causes which they did not understand; but for them to declare to all the World, *That we intend to make War against our Parliament*, (whilst we sit still, complaining to God Almighty of the Injury offered to us, and to the very Being of Parliaments) and that we have already begun actually to levy Forces both of Horse and Foot, (whilst we have only, in a legal Way, provided a smaller Guard for the Security of our own Person, so near a Rebellion at *Hull*, than they have had, without lawful Authority, above these eight Months, upon imaginary and impossible Dangers) to impose upon our People's Sense, as well as their Understanding, by telling them we are doing that which they see we are not doing, and intending what they all know (as much as Intentions can be known) we are not intending, is a Boldness agreeable to no Power, but the Omnipotence of those Votes, whose absolute Supremacy hath almost brought Confusion upon King and People; and against which no Knowledge in Matter of Fact, or Consent and Authority in Matter of Law, they will endure shall be opposed.

'We have upon all Occasions, with all possible Expressions, professed our fast and unshaken Resolutions for Peace; and we do again, in the Presence of Almighty God, our Father and Redeemer, assure the World, That we have no more

'Thought

'Thought of making a War againſt our Parliament, than againſt our own Children; that we will maintain and obſerve the Acts, aſſented to by us this Parliament, without Violation, of which that for the frequent aſſembling of Parliaments is one; and that we have not, or ſhall not have, any Thought of uſing any Force, unleſs we ſhall be driven to it for the Security of our Perſon, and for the Defence of the Religion, Laws, and Liberty of the Kingdom, and the juſt Rights and Privileges of Parliament; and therefore we hope the Malignant Party, who have ſo much deſpiſed our Perſon, and uſurped our Office, ſhall not, by their ſpecious and fraudulent Inſinuations, prevail with our good Subjects to give Credit to their wicked Aſſertions, and ſo to contribute their Power and Aſſiſtance for the Ruin and Deſtruction of us and themſelves. An. 18. Car. I. 1642. June.

'For our Guard about our Perſon, (which not ſo much their Example as their Provocation inforced us to take) 'tis known it conſiſts of the prime Gentry, in Fortune and Reputation, of this County, and of one Regiment of our Trained Bands; who have been ſo far from offering any Affronts, Injuries, or Diſturbance to any of our good Subjects, that their principal End is to prevent ſuch; and ſo may be a Security, but can be no Grievance, to our People. That ſome ill-affected Perſons, or any Perſons, have been employed in other Parts to raiſe Troops under Colour of our Service, or have made large, or any, Offers of Reward and Preferment to ſuch as will come in, is (for ought we know, and as we believe) an Untruth, deviſed by the Contrivers of this falſe Rumour; we diſavow it, and are confident there will be no Need of ſuch Art or Induſtry to induce our loving Subjects, when they ſhall ſee us oppreſſed, and their Liberties and Laws confounded, (and till then we ſhall not call on them) to come into us, and to aſſiſt us.

'For the Delinquents, (whom we are ſaid with an high and forcible Hand to protect) let them be

'named,

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named, and their Delinquency; and if we give not Satisfaction to Juſtice, when we ſhall have received Satisfaction concerning Sir *John Hotham*, by his legal Trial, then let us be blamed: But if the Deſign be, (as it is well known to be) after we have been driven by Force from our City of *London*, and kept by Force from our Town of *Hull*, to protect all thoſe who are Delinquents againſt us, and to make all thoſe Delinquents who attend on us, or execute our lawful Commands, we have great Reaſon to be ſatisfied in the Truth and Juſtice of ſuch Accuſation; leſt, to be our Servant, and to be a Delinquent, grow to be Terms ſo convertible, that, in a ſhort Time, we be left as naked in Attendance, as they would have us in Power; and ſo compel us to be waited on only by ſuch whom they ſhall appoint and allow, and in whoſe Preſence we ſhould be more miſerably alone, than in Deſolation itſelf.

'And if the ſeditious Contrivers and Fomenters of this Scandal upon us ſhall have (as they have had) the Power to miſlead the Major Part preſent of either or both Houſes, to make ſuch Orders, and ſend ſuch Meſſages and Meſſengers, as they have lately done, for the Apprehenſion of the great Earls and Barons of *England*, as if they were Rogues or Felons; whereby Perſons of Honour and Quality are made Delinquents, meerly for attending upon us, and upon our Summons; whilſt other Men are forbid to come near us, though obliged by the Duty of their Places and Oaths, upon our lawful Commands; it is no Wonder if ſuch Meſſengers are not very well entreated, and ſuch Orders not obeyed. Neither can there be a ſurer and cunninger Way found out to render the Authority of both Houſes ſcorned and vilified, than to aſſume to themſelves, meerly upon the Authority of the Name of Parliament, a Power monſtrous to all Underſtandings; and to do Actions, and to make Orders, evidently and demonſtrably contrary to all known Law and Reaſon, as to take up Arms againſt us, under Colour

'Colour of defending us; to cauſe Money to be brought in to them, and to forbid our own Money to be paid to us, or to our Uſe, under Colour that we will employ it ill; to beat us, and ſtarve us for our own Good, and by our own Power and Authority; which muſt, in ſhort Time, make the greateſt Court, and the greateſt Perſons, cheap and of no Eſtimation. An. 18. Car. I. 1642. June.

'Who thoſe Men are, ſenſible of the Public Calamities, of the Violations of the Privileges of Parliament, and the common Liberty of the Subject, who have been baffled and injured by Malignant Men and Cavaliers about us, we cannot imagine; and if thoſe Cavaliers are ſo much without the Fear of God and Man, and ſo ready to commit all Manner of Outrage and Violence, as is pretended, our Government ought to be the more eſteemed, which hath kept them from doing ſo; inſomuch as we believe no Perſon hath Cauſe to complain of any Injury, or of any Damage in the leaſt Degree, by any Man about us, or who hath offered his Service to us. All which being duly conſidered, if the Contrivers of theſe Propoſitions and Orders had been truly ſenſible of the Obligation which lies upon them, in Honour, Conſcience, and Duty, according to the high Truſt repoſed in them by us and our People, they would not have publiſhed ſuch a Senſe and Apprehenſion of imminent Danger; when themſelves, in their Conſciences, know that the greateſt, and indeed only, Danger which threatens this Church and State, the bleſſed Religion and Liberty of our People, is in their own deſperate and ſeditious Deſigns; and would not endeavour, upon ſuch weak and groundleſs Reaſons, to ſeduce our good Subjects from their Affection and Loyalty to us, to run themſelves into Actions unwarrantable, and deſtructive to the Peace and Foundation of the Commonwealth.

'And that all our loving Subjects may ſee how cauſeleſs and groundleſs this ſcandalous Rumour

'and

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'and Imputation of our raiſing War upon our Par-
'liament is, we have, with this our Declaration,
'cauſed to be printed the Teſtimony of thoſe Lords,
'and other Perſons of our Council, who are here
'with us; who, being upon the Place, could not
'but diſcover ſuch our Intentions and Preparations,
'and cannot be ſuſpected, for their Honours and
'Intereſts, to combine in ſuch miſchievous and
'horrid Reſolutions: And therefore we ſtraitly
'charge and command all our loving Subjects, up-
'on their Allegiance, and as they will anſwer the
'contrary at their Perils, That they yield no Obe-
'dience or Conſent to the ſaid Propoſitions and
'Orders; and that they preſume not (under any
'ſuch Pretences, or by Colour of any ſuch Orders)
'to raiſe or levy any Horſe or Men, or to bring in
'any Money or Plate to ſuch Purpoſe: But if, not-
'withſtanding this clear Declaration and Evidence
'of our Intentions, theſe Men (whoſe Deſign it is
'to compel us to raiſe War upon our Parliament,
'which all their Skill and Malice ſhall never be
'able to effect) ſhall think fit, by theſe Alarms, to
'awaken us to a more neceſſary Care of the De-
'fence of ourſelf and our People; and ſhall them-
'ſelves, under Colour of Defence, in ſo unheard-
'of a Manner, provide (and ſeduce others to do
'ſo) to offend us; having given us ſo lively Teſti-
'mony of their Affections what they are willing to
'do, when they have once made themſelves able,
'all our good Subjects will think it neceſſary to look
'to ourſelf: And we do then excite all our well-
'affected People, according to their Oaths of Alle-
'giance and Supremacy, and according to their
'ſolemn Vow and Proteſtation, (whereby they
'are obliged to defend our Perſon, Honour, and
'Eſtate) to contribute their beſt Aſſiſtance to the
'Preparations neceſſary for the oppoſing and ſup-
'preſſing of the traiterous Attempts of ſuch wicked
'and malignant Perſons; who would deſtroy our
'Perſon, Honour, and Eſtate, and engage the
'whole Kingdom in a Civil War, to ſatisfy their

'own

'own lawleſs Fury and Ambition; and ſo rob our good Subjects of the bleſſed Fruit of this preſent Parliament, which they already, in ſome Degree, have, and might ſtill reap, (to the abundant Satisfaction and Joy of the whole Kingdom) if ſuch wicked Hands were not ready to ruin all their Poſſeſſions, and fruſtrate all their Hopes. An. 18. Car. I. 1642. June.

'We do therefore declare, That whoſoever, of what Degree or Quality ſoever, ſhall then, upon ſo urgent and viſible Neceſſity of ours, and ſuch an apparent Diſtraction of the Kingdom, (cauſed and begotten by the Malice and Contrivance of this Malignant Party) bring in to us and our Uſe, ready Money or Plate; or ſhall underwrite to furniſh any Number of Horſe, Horſemen, and Arms, for the Preſervation of the Public Peace, the Defence of our Perſon, and the Vindication of the Privilege and Freedom of Parliament; we ſhall receive it as a moſt acceptable Service, and as a Teſtimony of his ſingular Affection to the Proteſtant Religion, the Laws, Liberties, and Peace of the Kingdom; and ſhall no longer deſire the Continuance of that Affection, than we ſhall be ready to juſtify and maintain thoſe with the Hazard of our Life.

'And we do further declare, That whoſoever ſhall then bring in any Sums of Money or Plate, to aſſiſt us in this great Extremity, ſhall receive Conſideration after the Rate of Eight *per Cent.* for all ſuch Monies as he ſhall furniſh us withall; and ſhall, upon the Payment of ſuch Money to ſuch Perſons whom we ſhall appoint to receive the ſame, receive Security for the ſame, by good and lawful Aſſurance of ſuch of our Lands, Foreſts, Parks, and Houſes, as ſhall be ſufficient for the ſame; (more real Security than the Name of Public Faith given without us and againſt us, as if we were no Part of the Public) and, beſides, we ſhall always look upon it as a Service, moſt affectionately and ſeaſonably performed, for the Preſervation of us and the Kingdom: But we ſhall be

'much

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'much gladder that their Submiſſion to thoſe our 'Commands, and their Deſiſting from any ſuch 'Attempt of raiſing Horſe or Men, may eaſe all 'our good Subjects of that Trouble, Charge, and 'Vexation.'

A Conference on ſome Words in the King's Anſwer to the Declaration of the 26th of *May*.

June 17. This Day the Lords took into Conſideration a printed Book, publiſhed in the King's Name, called, *An Anſwer to a Declaration of the Lords and Commons of the 26th of May laſt*, out of which was read this Clauſe, 'We muſt tell thoſe ungrateful Men, who dare tell their King, *That they may, without Want of Modeſty and Duty, depoſe him*, &c.' It was ordered, that a Conference be held with the Commons, and a Committee of both Houſes appointed to draw a Declaration, by way of Anſwer to this Particular, and that Care be taken to diſperſe it thro' the Kingdom.

The Parliament reſolve to raiſe Horſe as well as Foot.

Both Houſes agreeing, That they perceived an hourly Neceſſity for raiſing an Army of Horſe as well as Foot; Orders were iſſued out, and proper Officers named for that Purpoſe.

The King grants a Commiſſion of Array.

The Earl of *Stamford* informed the Lords, by a Letter from *Leiceſterſhire*, That he had executed the Parliament's Militia Ordinance in that County with great Succeſs; but that a Commiſſion of Array was granted to the Earls of *Huntingdon*, *Devonſhire*, and others, to oppoſe him therein, and requiring them to array, train, and muſter the People: That the ſaid Commiſſion was to take Place in a few Days; and therefore the Earl of *Stamford* deſired the Advice of Parliament, what he ſhould do if the ſaid Commiſſion was put in Execution. A Committee of both Houſes was immediately appointed to conſider how to prevent this new and dangerous Project.

June 18. The Commons acquainted the Lords with a Letter that the King had wrote to the Lord Mayor, Aldermen, and Sheriffs of *London*, which

was

was printed; and desired them to take the said Letter into Consideration, and to give Order that it might be suppressed, and not dispersed amongst the several Companies as was required. An. 18, Car. I. 1642. June.

This Letter was as follows:

CHARLES *R.*

Trusty and Well-beloved, we greet you well,

His Letter to the Citizens of *London*, forbidding them to lend Money to the Parliament.

WHereas we have received several Informations of great Sums of Money endeavoured to be borow'd of our City of London, *by some Direction proceeding from both our Houses of Parliament; and likewise that great Labour is used to persuade our Subjects to raise Horse, and to furnish Money, upon Pretence of raising a Guard for our Parliament: These are to let you know, that (notwithstanding any scandalous Votes which have presumed to declare our Intention of levying War against our Parliament, and to lay other Aspersions on us, so fully disavowed by us in the Presence of Almighty God, in our several Answers and Declarations) all our Desires and Purposes are for the Public Peace; and that we have not the least Thought of raising or using Force, except we are compelled to it for the Defence of our Person, and in Protection of the Law: And therefore we expect that you suffer not yourselves to be misled by such vain and improbable Suggestions; and do declare, That if you shall lend any Sums of Money towards the Relief of* Ireland, *(to which we have contributed all the Assistance that could be desired of us, which Way soever the Money given and raised to that Purpose is disposed) or towards the Payment of our* Scots *Subjects, we shall take it as an acceptable Service at your Hands; but if, upon general Pretences, contrived by a few factious Persons against the Peace of the Kingdom, you shall give or lend any Money, or provide or raise any Horses or Arms towards the Raising such a Guard, we shall look upon it as the Raising Force against us, and to be done in Malice and Contempt of us and our Authority.*

And we do therefore straitly charge and command you to publish this our Letter to the several Masters and

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and Wardens of the several Companies, that they may be assured that such Money as they shall lend, out of their good Affection to the Kingdom, may be only employed for Ireland *or* Scotland, *and not towards such Guards; which, in Truth, are intended by the Contrivers of that Design, (tho' we believe many honest Men, seduced by them, do not yet see their End) to be employed against us: And if you and they shall herein fail, punctually and severally, to observe our Commands, we shall not only proceed against the several Companies for deceiving the Trust reposed in them, but against the particular Persons, as Contemners and Opposers of our Authority, and of the Law of the Land, in the most exemplary Way the known Law of the Land shall prescribe to us; and shall be compelled to question the Charter of your City, who we are willing yet to believe, (notwithstanding the barbarous and insolent Demeanor of the meaner and baser Sort) in a good Degree to continue loyal to us.*

And of your Obedience to these our Commands we do expect and require a full Account, and of the Names of such Persons who shall oppose the same. Hereof fail you not, as you will answer the contrary at your Peril.

Given at our Court at *York*, the 14th Day of *June*, in the Eighteenth Year of our Reign, 1642.

Next follows a Copy of the King's Commission of Array sent into *Leicestershire*, which we pass over with a Reference; the Disputes about the Legality or Illegality of it being more than enough for our Purpose.[u] On the Reading of it the Lords passed this Vote, 'That this Commission of Array for *Leicestershire* is against Law, and against the Liberty and Property of the Subject: And that all those, that are Actors in putting this Commission of Array in Execution, shall be esteemed as Disturbers of the Liberty of the Subject.'

The King's Commission of Array voted illegal.

Or-

[u] This Commission is at large in *Rushworth's Collections*, Vol. IV. p. 655.

Ordered also, 'That this Commission of Array, with the aforesaid Votes, shall be forthwith printed and published throughout the Kingdom.' An. 18. Car. I. 1642. June.

Lastly, 'That all those Persons, except the Peers, who had executed this Commission in *Leicestershire*, should be sent for as Delinquents.' x

The same Day another Declaration of the Lords and Commons, by way of Answer to the foregoing Letter of the King to the Lord Mayor and Citizens of *London*, was read, and agreed to be printed and published in *hæc Verba:*

The Parliament's Answer to the King's Letter.

'WHereas in a Paper, inscribed *To our trusty and well-beloved the Lord Mayor, Aldermen, and Sheriffs of the City of* London, *dated the 14th of* June, 1642, it is affirmed, *That great Labour is used to persuade his Majesty's Subjects to raise Horse, and to furnish Money, upon Pretence of a Guard for the Parliament; but, in Truth, to be employed against his Majesty:* The Lords and Commons do declare, That the Design of those Propositions is, as was formerly declared, to maintain the Protestant Religion, the King's Authority and Person in his Royal Dignity, the free Course of Justice, the Laws of the Land, the Peace of the Kingdom, and the Privileges of Parliament, against any Force which shall oppose them:

'And they do further declare, That as the Forces already attending his Majesty, and the Preparation which his Majesty is now making of Arms, Horse, and Ordnance, within this Kingdom and from without, at first coloured under the Pretence of

x This Commission of Array, which the King issued by Advice of some of the Judges and Lawyers of Eminency, was founded upon an Act of the 5th of King *Henry* IV. but being a Thing the People had never heard of before, was received with Jealousy. Mr. *Selden*, in the House of Commons, declared himself very positively against it, as being expresly without any Authority of Law; the Statute, on which it was grounded, being, as he said, repealed; and discoursed very much of the ill Consequences which might result from submitting to it. *Clarendon's Hist.* 8vo, *Edit.* p. 667.

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of a Guard, do evidently appear to be intended for ſome great and extraordinary Deſign; ſo they give juſt Cauſe of Fear and Jealouſy to the Parliament, and do fully juſtify their Votes of the King's Intention of levying War againſt the Parliament, to be altogether free from any Imputation of Scandal, as is injuriouſly caſt upon them by that Paper: For, ſo long as his Majeſty ſhall continue thoſe Levies and Preparations, the Lords and Commons in Parliament, having been ſo often threatened and reviled for their Proceedings about *Hull* and the Militia, ſo neceſſarily undertaken for the Good and Peace of the Kingdom, cannot be ſecured by his Majeſty's ſolemn Proteſtation alone, expreſſed in this and other Declarations, *That all his Deſires and Purpoſes are for the Public Peace, and that he hath not the leaſt Thought of uſing Force, except he be compelled to it for the Defence of his Perſon and Protection of the Laws*; ſeeing his Majeſty, in a Declaration publiſhed at *Heworth-Moor*, doth interpret the Protection of the Laws in ſuch a Manner, as giveth juſt and full Occaſion to believe, that, by protecting the Laws, his Majeſty intendeth Force upon, or againſt, thoſe who ſhall ſubmit to the Ordinance of the Militia; and becauſe it appears, by divers Expreſſions of his Majeſty, that he hath diſcovered an Intention of making ſome Attempt upon *Hull*: In both which Caſes they do declare, That whatſoever Violence ſhall be uſed, either againſt thoſe who exerciſe this Militia, or againſt *Hull*, they cannot but believe it as done againſt the Parliament.

'And whereas the Houſes have, upon Loan, received great Sums of Money for the Service of *Ireland*, from the Companies of the City of *London* (for which they give them great and hearty Thanks) they do declare, That theſe Sums ſhall be diſpended, as the former have been, to that only Service; notwithſtanding an Inſinuation, laying an Aſperſion upon them as if they had done otherwiſe.

'Fur-

'Further: Whereas it is declared, to the great Reproach of the Parliament, *That the Sums de-* 'fired towards the Raising of Horse and Arms, are 'contrived upon general Pretences, by some few 'factious Persons, we leave it to the World to judge 'how it is possible the Houses should have all their 'Members, seeing many of them are, by his Ma-'jesty, summoned to *York*; and there, contrary to 'the Laws of the Land and Privileges of Parliament, 'detained, nay, protected, from the Justice of 'both Houses. An. 18. Car. I. 1642. June.

'And, *secondly*, How that can possibly be called 'a Faction, which is done by both Houses of Par-'liament, the greatest Court of *England*, the most 'faithful Council his Majesty hath. But at such 'Language as this they wonder not, considering by 'what wicked Counsel his Majesty's Affairs are 'guided, and by what malignant Spirits his Maje-'jesty's Affections to the Parliament of late have 'been misled.

'Both Houses well weighing the Premises, do 'forbid any Mayors, Sheriffs, Bailiffs, or other Of-'ficers whatsoever, to publish or spread that Paper, 'as they will answer their Contempt to the Parlia-'ment. And do assure themselves, that neither his 'Majesty's Commands, nor his Threats, will with-'draw or deter Men, well-affected to the Public, 'from doing their Duty; in contributing such Mo-'ney, Horse, and Plate, as will be necessary for the 'preserving the Being of Parliament, the Peace of 'the Kingdom, and those other Ends before-men-'tioned, for which they are desired: The danger-'ous and mischievous Intentions of some about his 'Majesty being such, that whatsoever is most pre-'cious to Men of Conscience and Honour, as Re-'ligion, Liberty, and Public Safety, are like to be 'overwhelmed and lost in the general Confusion 'and Calamity of the Kingdom; which will not 'only question, but overthrow, the Charter of the 'City of *London*; expose the Citizens, their Wives 'and Children, to Violence and Villainy; and leave

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'the Wealth of that famous City as a Prey to those 'desperate and necessitous Persons.

'The Lords and Commons, as they hope, by 'this Means, those horrid Mischiefs may be pre- 'vented, so those of the City, which contribute 'hereunto, (whereof none are so mean and base as 'to deserve the Reproaches cast on them by that 'Paper) and all his Majesty's good Subjects may be 'assured that, in doing their Duty herein, they shall 'be protected and secured in their Persons, Liber- 'ties, and Estates, by the Power and Authority of 'both Houses of Parliament, according to their for- 'mer Engagements, which they will ever faithfully 'perform.'

This Answer was presently followed by a Reply from the King.

The King's Reply.

'IT seems, by a new Declaration of the 18th of '*June*, in Answer to our Letter, of the 14th of 'the same Month, to the Lord Mayor of *London*, 'that the Lords and Commons in Parliament have 'much more Leisure than they pretend; or that 'those Persons, whom we have before described in 'our former Answers and Declarations, and of 'whom only we would be understood to speak, 'think such Declarations and Votes to be such 'irresistible Engines of Battery against us and the 'Law, that no Strength can oppose them; and 'therefore, though they will not take Notice from 'whence that Letter came, they will vouchsafe it no 'other Mention but a Paper, (as if found by Chance) 'inscribed *To our Trusty and Well-beloved*, &c. 'And it is a Wonder that, since they have usurped 'the Supreme Power to themselves, they have not 'taken upon them the Supreme Style too, and di- 'rected this very new Declaration, *To their Trusty* 'and *Well-beloved*, *their Subjects of the City of* Lon- 'don; for 'tis too great and palpable a Scorn to 'persuade them to take up Arms against our Person, 'under Colour of being loving Subjects to our Of-

'fice,

'fice; and to deſtroy us, that they may preſerve 'the King. An. 18. Car. I. 1642. June.

'They are offended that we ſhould believe, *That 'their End of perſuading our Subjects to raiſe Horſe, 'and to furniſh Money, upon Pretence of a Guard 'for the Parliament, is, in Truth, to employ thoſe 'Horſe, Men, and Money, againſt us.* Let the 'Reaſons of our Belief be never ſo ſtrong, and their 'Actions never ſo evident to compel all other Men 'to believe ſo too, the Lords and Commons do 'declare, (think what you will, and ſee what you 'can) *That the Deſign of thoſe Propoſitions for 'raiſing Men, Horſe, and Money, is to maintain 'the Proteſtant Religion, the King's Authority and 'Perſon in his Royal Dignity, the free Courſe of 'Juſtice, the Laws of the Land, the Peace of the 'Kingdom, and Privileges of Parliament, againſt 'any Force which ſhall oppoſe them.* And this all 'Men are bound to believe, though they ſee the 'Proteſtant Religion, and the Profeſſors thereof, 'miſerably reproached, and in Danger of being 'deſtroyed by a vicious and malignant Party of 'Browniſts, Anabaptiſts, and other Sectaries; (the 'principal Ring-leaders of whom have too great 'a Power, even with ſome Members in both our 'Houſes of Parliament) our Authority deſpiſed, and, 'as much as in them lies, taken from us, and re-'viled in Pulpits and Preſſes by Perſons immediate-'ly in their Protection, and of their Recommenda-'tion; our Perſon driven away by Tumults and 'rude Multitudes, againſt whom we can have no 'Juſtice; the Courſe of Juſtice interrupted and ſtop-'ped by Orders and Injunctions, never heard of till 'this Parliament; the Laws of the Land trampled 'under Foot, and fruſtrated; new Laws attempted 'to be made, and impoſed upon our Subjects, with-'out, and againſt, our Conſent; the Peace of the 'Kingdom ſhaken and frighted away by diſcounte-'nancing the Laws; abſolving, as much as in them 'lies, the People from the Rules of Government 'or Obedience, and even declaring a War againſt 'us, and the Laws of the Land; and, laſtly, the

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'Privileges of Parliament ſo far extended, as if, to 'the bare Sound of Privilege of Parliament, the Li- 'berty and Property of the Subject, the Dignity 'and Certainty of the Law were in ſuch Subjection, 'that they may firſt make what Orders they pleaſe, 'and in what Caſes they pleaſe; and whoſoever diſ- 'putes thoſe Orders, and ſubmits not to thoſe Votes, 'breaks their Privileges; and whoſoever breaks their 'Privileges is an Enemy to the Commonwealth, 'and worthy of ſuch other Attributes (either of fa- 'vouring the Rebellion in *Ireland*, or advancing 'the War here) as are moſt likely to render that 'Perſon ſuſpected or odious to the People. If, in 'Truth, this be evidently and demonſtrably the 'Caſe, ſuch Declarations will no more gain Credit 'with, or longer miſlead, our Subjects, than if they 'ſhould tell them, that we are Perſonally with 'them in *London*, when all Men ſee us here at '*York*.

'As they have declared, (the beſt Argument or 'Evidence you are to look for) That all that they 'do is lawful, becauſe they do it; ſo they proceed, 'by the ſame Power, to aſſure thoſe who are apt to 'be deceived by them, *that the Force already attend- 'ing us*, (they would certainly do otherwiſe if they 'did really believe ſuch Force to be about us) *and 'the Preparation we are making, do evidently appear 'to be intended for ſome great and extraordinary De- 'ſign, and do juſtify their former Votes of our Inten- 'tion of levying War againſt our Parliament.* And 'they have at laſt given ſome Reaſons for that Vote 'and Declaration: They find, by our ſeveral De- 'clarations, that we intend Force againſt thoſe 'who ſhall ſubmit to the Ordinance of the Militia, 'and that we intend to make an Attempt upon *Hull:* 'In both which Caſes they are pleaſed to declare, '*That whatſoever Violence ſhall be uſed, either a- 'gainſt thoſe who exerciſe this Militia, or againſt* 'Hull, *they cannot but take it as done againſt the 'Parliament.* We are beholden to them that they 'have explained to all our good Subjects the Mean- 'ing of their Charge againſt us; that by our Inten-

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'tion of making War againſt our Parliament, no more is pretended to be meant, but our Reſolution not to ſubmit to the high Injuſtice and Indignity of the Ordinance, and the Buſineſs of *Hull*. We have never concealed our Intentions in either of thoſe Particulars; (we wiſh they would deal as clearly with us) but have always, and do now declare, That that pretended Ordinance is againſt the Law of the Land, againſt the Liberty and Property of the Subject, deſtructive to Sovereignty; and, therefore, not conſiſtent with the very Conſtitution and Eſſence of the Kingdom, nor with the Right and Privilege of Parliament: That we are bound by our Oath, (and all our Subjects are bound by theirs of Allegiance and Supremacy, and their own Proteſtation lately taken, to aſſiſt us) to oppoſe that Ordinance, which is already put in Execution againſt us; not only by training and arming our Subjects, but by forcibly removing the Magazines from the Places truſted by the Counties, to their own Houſes, and guarding it there with armed Men; whither it will be next removed, and how uſed by ſuch Perſons, we know not. That the keeping us out of *Hull*, by Sir *John Hotham*, was an Act of High Treaſon againſt us; and the taking away our Magazine and Munition from us, was an Act of Violence upon us; (by what Hands, or by whoſe Direction ſoever it was done) and in both Caſes, by the Help of God and the Law, we will have Juſtice, or loſe our Life in the requiring it; the which we do not value at that Rate, as to preſerve it with the Infamy of ſuffering ourſelf to be robbed and ſpoiled of that Dignity we were born to. An. 18. Car. I. 1642. June.

'And if it be poſſible for our good Subjects to believe that ſuch a Defence of ourſelf, with the utmoſt Power and Strength we can raiſe, is making a War againſt the Parliament; we do not doubt (however it ſhall pleaſe God to diſpoſe of us in that Contention) but the Juſtice of our Cauſe will, at the laſt, prevail againſt thoſe few malignant Spirits, who, for their own Ends and ambitious

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'Designs, have so misled and corrupted the Under-'standings of our People; and that both our Houses 'of Parliament will, in a short Time, discern, by 'their own Observation, and the Information we 'shall speedily give them, how near this flourishing 'Kingdom is brought to Ruin and Confusion by 'these Persons.

'And since neither our Declaration, nor the Tes-'timony of so many of our Lords now with us, can 'procure Credit with these Men; but that they pro-'ceed to levy Horse, and to raise Money and Arms 'against us, we are not to be blamed, if (after so 'many gracious Expostulations with them, upon 'undeniable Principles of Law and Reason, which 'they answer only by voting that which we say to be 'neither Law nor Reason; and so proceed actually 'to levy War upon us, to justify that which can-'not be otherwise defended) at last we make such 'Provision, that, as we have been driven from *Lon-'don*, and kept from *Hull*, we may not be sur-'prized at *York*; but be in a Condition to resist 'and bring to Justice those Men, who would per-'suade our People that their Religion is in Danger, 'because we will not consent it shall be in their 'Power to alter it by their Votes; or their Liber-'ty in Danger, because we will not allow no Judge 'of that Liberty but the known Law of the Land: 'Yet whatever Provision we shall be compelled to 'make for our Security, we will be ready to lay 'down, as soon as they shall have revoked the Or-'ders by which they have made Levies; and submit 'those Persons who have detained our Towns, 'carried away our Arms, and put the Militia in 'Execution contrary to our Proclamation, to that 'Trial of their Innocence the Law directs, and to 'which they were born.

'If this be not submitted to, we shall with as 'good a Conscience (and we believe we shall not 'want the Affections of our good Subjects to that 'End) proceed against those who shall presume to 'exercise that pretended Ordinance for the Militia, 'and the others who keep our Town of *Hull* from

'us

'us, as we would resist Persons who came to take away our Life or our Crown from us. And therefore we shall, again, remember and require our City of *London* to obey our former Commands, and not to be misled by the Orations of those Men, (who are made desperate by their Fortunes, or their Fortunes by them) who tell them their Religion, Liberty, and Property is to be preserved no other Way but by their Disloyalty to us: That they are now at the Brink of the River, and may draw their Swords when nothing pursues them but their own evil Consciences. Let them examine what excellent Fruits of Religion the Lives of those Men have brought forth, and what great Advancers they have been of the Public Liberty and Property: How long they have had those Opinions, they would ruin others to defend, and how they came to those Opinions: Let them consider whether their Estates come to them, and are settled upon them by Orders of both Houses, or by that Law which we defend: What Security they can have to enjoy their own, when they have helped to rob us; and what a happy Conclusion that War is like to have, which is raised to oppress their Sovereign: That the Wealth and Glory of their City is not like to be destroyed any other Way, but (and that Way inevitably it must) by rebelling against us; nor their Wives and Children to be exposed to Violence and Villainy, but by those who make their Appetite and Will the Measure and Guide to all their Actions. Let them not fancy to themselves melancholic Apprehensions, which are capable of no Satisfaction; but let them seriously consider what Security they can have, that they have not under us, or been offered by us; and whether the Doctrines these Men teach, and would have them defend, do not destroy the Foundations upon which their Security is built.

'And we do, lastly, declare again, and publish to all the World, That we shall proceed against all Persons whatsoever, that shall assist those Levies, by furnishing Horse, Money, and Plate, as

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'against

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'against the Disturbers of the Public Peace, and 'the Authors of those Distractions which threaten 'the Ruin of us and this Kingdom.'

How little Weight the King's Reply had with the Parliament, will appear by the following Ordinance, made and agreed to, this Day, by both Houses:

An Ordinance of Parliament for coining of Plate.

'Whereas great Quantities of Plate are brought 'to the Treasurers, appointed by both Houses of 'Parliament for the receiving of Plate and Money, 'according to the Uses expressed in the Propositions; 'it is therefore ordered by the Lords and Commons 'in Parliament, That the said Treasurers shall have 'Power, by virtue of this Order, to melt down the 'said Plate, and cause it to be forthwith coined; 'and shall likewise have Power, from Time to 'Time, to melt down and cause to be coined, all 'other Plate as shall, hereafter, be brought in.'

June 20. A Copy of a Letter from Lord *Paget* was this Day entered in the *Lords Journals*, intitled, *The Reasons of his Departure from Parliament unto the King's Most Excellent Majesty at* York; and is in these Words:

June 11, 1642.

Lord *Paget*'s Reasons for leaving the Parliament and going to the King.

IT may seem strange that I, who, with all Zeal and Earnestness, have prosecuted, in the Beginning of this Parliament, the Reformation of all Disorders in Church and Commonwealth, should now, in a Time of such great Distractions, desert the Cause. Most true it is that my Ends were the Common Good; and, whilst that was prosecuted, I was ready to lay down both my Life and Fortune; but, when I found a Preparation of Arms against the King, under the Shadow of Loyalty, I rather resolved to obey a good Conscience than particular Ends; and am now on my Way to his Majesty, where I will throw myself down at his Feet, and die a loyal Subject.

PAGET.

We do not find any Notice taken of this Letter by the Lords; but the same being printed and published

liſhed by one *Hugh Perry*, the Commons ordered him to be ſummoned before their Houſe; and he was afterwards committed to the *Gatehouſe*. An. 18. Car. I. 1642. June.

We have before taken Notice from Mr. *Whitlocke*, That the Lord *Paget* had not only accepted of a Commiſſion of Lord-Lieutenant of the County of *Bucks*, under the Ordinance of Parliament, but had alſo appointed his Deputy-Lieutenants. This is confirm'd by Lord *Clarendon*, with the following additional Particulars:—'The Lord *Paget*, who had contributed all his Faculties to the Parliament's Service, and to the Prejudice of the King's, from before the Beginning of the Parliament; had been one of their Teizers to broach thoſe bold high Overtures ſoberer Men were not, at firſt, willing to be ſeen in; had, with great Pomp and Solemnity, executed their Ordinance, in Defiance of the King's Proclamation; and had ſubſcribed a greater Number of Horſes for their Service, upon their Propoſitions, than any other of the ſame Quality [x]; convinced in his Conſcience, fled from them, and beſought the King's Pardon: And, for the better manifeſting the Tenderneſs of his Compunction, and the Horror he had of his former Guilt, he frankly diſcovered whatſoever he had known of their Counſels; and aggravated all the Ill they had done, with declaring it to be done to worſe and more horrid Ends, than many good Men believed to be poſſible for them to propoſe to themſelves.'

June 21. A Letter from the King, directed to the Speaker of the Houſe of Lords, with an Anſwer incloſed to the Nineteen Propoſitions from the Parliament for Peace, was read in the Houſe of Lords, and ordered to be ſent down to the Commons.

This Anſwer begins with a long Recapitulation of all the Arguments, before urged in his Majeſty's Meſſages and Declarations to the Parliament, which we have already printed: Of theſe, therefore, we ſhall

x This Circumſtance is rather too much exaggerated by the Noble Hiſtorian, as appears by the foregoing Liſt of the ſubſcribing Peers, as it ſtands in their *Journals*.

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shall content ourselves with Lord *Clarendon*'s Abstract; giving only such Passages at large, as are a direct Answer to the Propositions themselves. [z]

His Majesty's Answer to the Parliament's Nineteen Propositions.

'THE King first reminded the Parliament of 'the Method they had observed in their Pro-'ceedings towards him: That they had first totally 'suppressed the known Laws of the Land, and de-'nied his Power to be necessary to the making new 'ones, reducing the whole to their own Declara-'tions and single Votes: That they had possessed 'themselves of his Magazines, Forts, and Militia: 'That they had so awed his Subjects with Pursui-'vants, long chargeable Attendance, heavy Cen-'sures, and illegal Imprisonments, that few of them 'durst offer to present their Tenderness of his Ma-'jesty's Sufferings, their own just Grievances, and 'their Sense of those Violations of the Law (the 'Birth-Right of every Subject of the Kingdom) 'though in an humble Petition to both Houses; 'and if any did, it was stifled in the Birth, called 'Sedition, and burnt by the Common Hangman: 'That they had restrained the Attendance of his 'ordinary and necessary Houshold Servants; and 'seized upon those small Sums of Money, which 'his Credit had provided to buy him Bread; with 'Injunctions that no Money should be suffered to 'be conveyed, or returned to his Majesty to *York*, 'or to any of his Peers or Servants with him; so 'that, in effect, they had block'd him up in that 'County: That they had filled the Ears of his 'People

[z] The original Edition of this Answer, printed by *Barker*, the King's Printer, makes above 40 Pages. It is to be found at large in *Rushworth*, Vol. IV. p. 725; in *Husbands*, p. 307; and in the second Volume of the King's Works, *Folio*, (printed by *Royston*, 1662) p. 85. With this Answer the King published the Propositions, also an Order for the Reading and Publishing thereof throughout all Churches and Chapels of *England* and *Wales*, by the several Parsons, Vicars, or Curates.

Lord *Clarendon* informs us, That the King was once resolved to have returned no Answer to the Parliament upon these Propositions; but to let the People alone to judge of the Unreasonableness of them, and of the Indignity offered to him in the Delivery of them; and that was the Reason of the short Mention he made of them, in the Close of his Answer to their Declaration of the 26th of *May*.

'People with Fears and Jealouſies, (though taken up upon Truſt) Tales of Skippers, Salt-Fleets, and ſuch like; by which Alarm they might prepare them to receive ſuch Impreſſions, as might beſt advance their Deſign, when it ſhould be ripe. And now, it ſeemed, they thought his Majeſty ſufficiently prepared for thoſe bitter Pills; that he was in a handſome Poſture to receive thoſe humble Deſires; which, probably, were intended to make Way for a Superfœtation of a yet higher Nature; for they did not tell him, This was all. He ſaid, he muſt obſerve, that thoſe Contrivers, (the better to advance their true Ends in thoſe Propoſitions) diſguiſed as much as they could, their Intents with a Mixture of ſome Things really to be approved by every honeſt Man; others, ſpecious and popular; and ſome which were already granted by his Majeſty: All which were cunningly twiſted and mixed with thoſe other Things of their main Deſign, of Ambition and private Intereſt, in Hope that, at the firſt View, every Eye might not ſo clearly diſcern them in their proper Colours. An. 18. Car. I. 1642. June.

'His Majeſty ſaid, if the 1ſt, 2d, 3d, 4th, 5th, 9th, 10th, 15th, 16th, and 19th Demands had been writ and printed in a Tongue unknown to his Majeſty and his People, it might have been poſſible that he and they might have, charitably, believed the Propoſitions to be ſuch as might have been in order to the Ends pretended in the Petition, to wit, *The Eſtabliſhment of his Honour and Safety*; *the Welfare and Security of his Subjects and his Dominions*; *the removing thoſe Jealouſies and Differences which were ſaid to have unhappily fallen betwixt his Majeſty and his People*; *and procuring both his Majeſty and them a conſtant Courſe of Honour, Peace, and Happineſs*; but being read and underſtood by all, he could not but aſſure himſelf that that Profeſſion, joined to thoſe Propoſitions, would rather appear a Mockery and a Scorn; the Demands being ſuch, that he were unworthy the

'Truſt

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'Truſt repoſed in him by the Law, and of his Deſcent from ſo many great and famous Anceſtors, 'if he could be brought to abandon that Power 'which alone could enable him to perform what he 'was ſworn to, in protecting his People and the 'Laws; and ſo aſſume others into it, as to diveſt 'himſelf of it, although not only his preſent Condition were more neceſſitous than it was, (which 'it could hardly be) and he were both vanquiſhed 'and a Priſoner; and in a worſe Condition than 'ever the moſt unfortunate of his Predeceſſors had 'been reduced to, by the moſt criminal of their 'Subjects; and though the Bait laid to draw him 'to it, and to keep his Subjects from Indignation 'at the Mention of it, the Promiſes of a plentiful 'and unparalleled Revenue, were reduced from 'Generals (which ſignify nothing) to clear and 'certain Particulars; ſince ſuch a Bargain would 'have but too great a Reſemblance of that of '*Eſau*'s, if he would part with ſuch Flowers of his 'Crown as were worth all the reſt of the Garland, 'and had been tranſmitted to him from ſo many 'Anceſtors, and had been found ſo uſeful and neceſſary for the Welfare and Security of his Subjects, for any preſent Neceſſity, or for any low 'and ſordid Conſiderations of Wealth and Gain: 'And therefore, all Men knowing that thoſe Accommodations are moſt eaſily made, and moſt exactly obſerved, that are grounded upon reaſonable and equal Conditions, his Majeſty had great 'Cauſe to believe, that the Contrivers of thoſe Propoſitions had no Intention of ſettling any firm Accommodation; but to increaſe thoſe Jealouſies, 'and widen that Diviſion, which, not by his Majeſty's Fault, was now unhappily fallen between 'him and both Houſes.

'It was aſked, *That all the Lords and others of 'his Privy Council, and ſuch great Officers and Miniſters of State, either at home or beyond the Seas,* '(for he ſaid, Care was taken to leave out no Perſon, or Place, that his Diſhonour might be ſure

'not

'not to be bounded within this Kingdom) *should be* An. 18. Car. I.
'*put from his Privy Council, and from those Offices* 1642.
'*and Employments, unless they should be approved by* June.
'*both Houses of Parliament*, how faithful soever his
'Majesty had found them to him and to the
'Public; and how far soever they had been from
'offending against any Law, the only Rule they
'had, or any others ought to have, to walk by.
'His Majesty, therefore, to that Part of that De-
'mand, returned this Answer, *That he was willing*
'*to grant that they should take a larger Oath, than*
'*they themselves desired in their eleventh Demand, for*
'*maintaining (not of any Part, but) the whole Law.*
'And, he said, he had and did assure them, that he
'would be careful to make Election of such Per-
'sons in those Places of Trust, as had given good
'Testimonies of their Abilities and Integrities; and
'against whom there could be no just Cause of Ex-
'ception, whereon, reasonably, to ground a Dif-
'fidence: That if he had or should be mistaken in
'his Election, he had and did assure them, that
'there was no Man so near to him, in Place or Af-
'fection, whom he would not leave to the Justice
'of the Law, if they should bring a particular
'Charge and sufficient Proof against him: That
'he had given them a Triennial Parliament (the
'best Pledge of the Effects of such a Promise on his
'Part, and the best Security for the Performance of
'their Duty on theirs) the Apprehension of whose
'Justice would, in all Probability, make them wary
'how they provoked it; and his Majesty wary
'how he chose such as, by the Discovery of their
'Faults, might, in any Degree, seem to discredit
'his Election: But that, without any Shadow of a
'Fault objected, only, perhaps, because they fol-
'low their Consciences, and preserved the esta-
'blished Laws; and agree not in such Votes, or as-
'sent not to such Bills, as some Persons, who had
'then too great an Influence even upon both Houses,
'judg'd, or seemed to judge, to be for the Public
'Good; and as were agreeable to that new Uto-
'pia of Religion and Government, into which

'they

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'they endeavoured to transform this Kingdom, '(for, he ſaid, he remembered what Names, and 'for what Reaſons, they left out of the Bill offered 'him concerning the Militia, thoſe which themſelves had recommended in the Ordinance) he 'would never conſent to the diſplacing of any, 'whom, for their former Merits, and their Affection to his Majeſty and the Public, he had entruſted; ſince, he conceived, that to do ſo would 'take away both from the Affection of his Servants, 'the Care of his Service, and the Honour of his Juſtice: And, he ſaid, he the more wondered that 'it ſhould be aſked by them, ſince it appears by the 'twelfth Demand that themſelves counted it reaſonable, after the preſent Turn was ſerved, that the 'Judges and Officers, who were then placed, might 'hold their Places *quamdiu ſe bene geſſerint*: And he 'was reſolved to be as careful of thoſe whom he had 'choſen, as they were of thoſe they would chuſe; 'and to remove none, till they appeared to him to 'have otherwiſe behaved themſelves, or ſhould be 'convicted by legal Proceedings, to have done ſo.

'But, his Majeſty ſaid, that Demand, as unreaſonable as it was, was but one Link of a great 'Chain, and but the firſt Round of that Ladder, 'by which his Majeſty's Juſt, Antient, Regal Power 'was endeavoured to be fetched down to the 'Ground; for it appeared plainly, that it was not 'with the Perſons now choſen, but with his Majeſty's chuſing, that they were diſpleaſed: For 'they demanded, *That the Perſons put into the Places and Employments of thoſe who ſhould be removed, might be approved by both Houſes*; which was ſo 'far from being leſs than the Power of Nomination, 'that of two Things, of which he would never grant 'either, he would ſooner be content, that They 'ſhould Nominate, and he Approve; than They 'Approve, and his Majeſty Nominate; the meer 'Nomination being ſo far from being any Thing, 'that if he could do no more, he would never take 'the Pains to do That; when he ſhould only hazard whom he eſteemed to the Scorn of a Refuſal,

'if

'if they happened not to be agreeable not only to 'the Judgment, but to the Paſſion, Intereſt, or 'Humour of the preſent Major Part of either Houſe: 'Not to ſpeak of the great Factions, Animoſities, 'and Diviſions, which that Power would introduce 'in both Houſes, and in the ſeveral Counties, for 'the Choice of ſuch Perſons to be ſent to that 'Place where that Power was, and between the 'Perſons that were ſo choſen. Neither was that 'ſtrange Potion preſcribed to him only for once, 'for the Cure of a preſent, preſſing, deſperate Diſ-'eaſe; but for a Diet to him and his Poſterity. It 'was demanded, *That his Counſellors, all chief Of-'ficers both of Law and State, Commanders of Forts 'and Caſtles, and all Peers hereafter made, be ap-'proved of*, that is choſen, *by them from Time to 'Time:* And rather than it ſhould be ever left to 'the Crown, (to whom it only did, and ſhould, be-'long) if any Place fall void in the Intermiſſion of 'Parliament *the Major Part of the approved Coun-'cil was to approve them.* Neither was it only de-'manded that *his Majeſty ſhould quit the Power and 'Right his Predeceſſors had of appointing Perſons in 'thoſe Places*; but for Counſellors, he was *to be re-'ſtrained as well in the Number as in the Perſons*; 'and a Power muſt be annexed to thoſe Places 'which their Predeceſſors had not. And, indeed, 'if that Power were paſſed to them, it would not 'be fit he ſhould be truſted to chuſe thoſe who were 'to be truſted as much as himſelf.

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'He told them, to grant their Demands in the 'Manner they propoſed them, *That all Matters that 'concerned the Public*, &c. *ſhould be reſolved and 'tranſacted only in Parliament*; *and ſuch other Mat-'ters of State*, &c. *by the Privy Council ſo choſen*, 'was, in Effect, at once to depoſe himſelf and his 'Poſterity. He ſaid, many Expreſſions in their 'Demands, had a greater Latitude of Significa-'tion than they ſeemed to have; and that it con-'cerned his Majeſty therefore the more that they 'ſhould ſpeak out; that both he and the People

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'might either know the Bottom of their Demands, 'or know them to be bottomleſs. Nothing more 'concerned the Public, and was indeed more pro- 'per for the High Court of Parliament, than the 'making of Laws; which not only ought there to 'be tranſacted, but could be tranſacted no where 'elſe. But then they muſt admit his Majeſty to be 'a Part of the Parliament; they muſt not (as the 'Senſe was of that Part of that Demand, if it had 'any) deny the Freedom of his Anſwer, when he 'had as much Right to reject what he thought un- 'reaſonable, as they had to propoſe what they 'thought convenient or neceſſary. Nor was it poſ- 'ſible his Anſwers, either to Bills or any other Pro- 'poſitions, ſhould be wholly free, if he might not 'uſe the Liberty that every one of them, and every 'Subject, took, to receive Advice (without their 'Danger who ſhould give it) from any Perſon, 'known or unknown, ſworn or unſworn, in thoſe 'Matters in which the Manage of his Vote is truſt- 'ed, by the Law, to his own Judgment and Conſci- 'ence; which how beſt to inform was, and ever 'ſhould be, left likewiſe to him. He ſaid, he would 'always, with due Conſideration, weigh the Advi- 'ces both of his Great, and Privy Council; yet he 'ſhould likewiſe look on their Advices as Advices, 'not as Commands or Impoſitions; upon them, as 'his Counſellors, not as his Tutors or Guardians; 'and upon himſelf, as their King, not as their Pupil 'or Ward; For, he ſaid, whatſoever of Regality 'was, by the Modeſty of Interpretation, left in his 'Majeſty in the firſt Part of the ſecond Demand, as 'to the Parliament, was taken from him in the ſe- 'cond Part of the ſame, and placed in that new- 'fangled Kind of Counſellors; whoſe Power was 'ſuch, and ſo expreſſed by it, that in all public Acts 'concerning the Affairs of the Nation, which are 'proper for the Privy Council (for whoſe Advice all 'public Acts are ſometimes proper, tho' never ne- 'ceſſary) they were deſired to be admitted Joint-Pa- 'tentees with his Majeſty in the Regality; and it

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'was not plainly expreſſed, whether they meant An. 18. Car. I.
'his Majeſty ſo much as a ſingle Vote in thoſe Af- 1642.
'fairs; but it was plain they meant him no more, June.
'at moſt, than a ſingle Vote in them, and no more
'Power than every one of the reſt of his Fellow-
'Counſellors.'

'And ſo, after a ſharp Diſcourſe and Explanation of the Unreaſonableneſs of the ſeveral Demands, or the greateſt Part of them; and the Confuſion that, by conſenting thereunto, would redound to the Subject in general, as well as the Diſhonour to his Majeſty, he told them, 'To all thoſe unreaſonable 'Demands, his Anſwer was, *Nolumus Leges* Angliæ '*mutari*: But renewed his Promiſe to them for a 'very punctual and ſtrict Obſervation of the known 'Laws eſtabliſhed; to which Purpoſe he was willing 'an Oath ſhould be framed by them, and taken by 'all his Privy Counſellors. And for any Alteration in the Government of the Church, that a 'National Synod ſhould be call'd, to propoſe what 'ſhould be found neceſſary or convenient: And 'that, for the Advancement of the Proteſtant Religion againſt the Papiſts, they had not propoſed 'ſo much to his Majeſty as he was willing to grant, 'or as he had himſelf offered before. He concluded 'with conjuring them, and all Men, to reſt ſatisfied 'with the Truth of his Majeſty's Profeſſions, and 'the Reality of his Intentions, and not to aſk ſuch 'Things as they denied themſelves: That they 'would declare againſt Tumults, and puniſh the 'Authors: That they would allow his Majeſty Property in his Towns, Arms, and Goods; and his 'Share in the Legiſlative Power; which would be 'counted, in him, not only Breach of Privilege but 'Tyranny, and Subverſion of Parliaments, to deny 'to them: And, when they ſhould have given him 'Satisfaction upon thoſe Perſons who had taken 'away the one, and recalled thoſe Declarations '(particularly that of the 26th of *May*, and thoſe in 'the Point of the Militia, his juſt Rights wherein 'he would no more part with than with his Crown, 'leſt he enable others, by them, to take that from

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'him) which would take away the other; and declined the Beginnings of a War againſt his Majeſty, under Pretence of his Intention of making one againſt them: As he had never oppoſed the Firſt Part of the thirteenth Demand, ſo he would be ready to concur with them in the Latter; and being then confident that the Credit of thoſe Men, who deſire a General Combuſtion, would be ſo weakened with them, that they would not be able to do this Kingdom any more Hurt, he would be willing to grant his General Pardon, with ſuch Exceptions as ſhould be thought fit; and ſhould receive much more Joy in the Hope of a full and conſtant Happineſs of his People in the true Religion, and under the Protection of the Law, by a bleſſed Union between his Majeſty and his Parliament, than in any ſuch Increaſe of his own Revenue, how much ſoever beyond former Grants, as, when his Subjects were wealthieſt, his Parliament could have ſettled upon his Majeſty.'

Nothing more done, of any Moment, in the Houſe of Lords, for ſome Days, except paſſing one Bill by Commiſſion, *For Encouragement of the Adventurers in* Ireland, till

June 25. When the King's Anſwer to the Parliament's Petition, preſented to him on the 17th of this Month, in Favour of the *Yorkſhire* Petition, which the King had refuſed to receive from the Hands of Sir *Thomas Fairfax*, at *Heworth-Moor*, was read. The ſaid Anſwer, with the Petition that occaſioned it, were as follows:

To the KING's *Moſt Excellent Majeſty*,

The HUMBLE PETITION *of the* LORDS *and* COMMONS *in Parliament aſſembled.*

The Parliament's Petition to the King, in favour of the *Yorkſhire* Petition, which he had refuſed.

'YOUR Majeſty's moſt humble and faithful Subjects, the Lords and Commons aſſembled in Parliament, have lately received a Petition from a great Number of the Gentry, Free-

'holders,

'holders, and other Inhabitants of the County of *York*, assembled there by your Majesty's Command, the 3d of *June*; wherein they declare unto us, *That, having taken a Resolution to address themselves unto your Majesty in the humble Way of a Petition, for the Redress of those Grievances which they now lie under, they were violently interrupted and affronted therein by the Earl of* Lindsey, *the Lord* Saville, *and others; and notwithstanding all the Means they could use to present their just Desires to your Majesty, yet they could not prevail with your Majesty to accept of their Petition*; the Copy whereof they have sent to us, with an humble Desire that we would take such Course therein as may tend to the Preservation of their Liberties, and the Peace of the Kingdom; and that we would address ourselves to your Majesty in their Behalf, that, by our Means, their Desires may find better Acceptation with your Majesty. An. 18. Car. I. 1642. June.

'Whereupon having seriously weighed and considered the Particulars of those their Complaints and Desires, as they are laid down in their Petition; and finding that the Grievances, they complain of, are the Increase of the Miseries formerly sustained by that County, (which hath, well nigh for three Years last past, been the tragical Stage of Armies and War) by reason of your Majesty's Distance in Residence, and Difference in Counsels, from your great Council the Parliament, begetting great Distempers and Distractions throughout the Kingdom, and especially in that County; the Drawing to those Parts great Numbers of discontented Persons, that may, too justly be feared, affect the Public Ruin for their private Advantage; the Drawing together of many Companies of Trained Bands, and others, both of Horse and Foot, of that County, and retaining Multitudes of Commanders and Cavaliers from other Parts; the daily Resort of Recusants to your Majesty's Court at *York*; the great Preparations of Arms and other warlike Provisions, to the great

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'Terror and Amazement of your Majesty's peaceable Subjects, and causing a great Decay of Trade 'and Commerce amongst them: All and every of 'which Particulars are against the Law, which 'your Majesty hath made so many and so frequent 'Professions to uphold and maintain:

'The Lords and Commons finding, on the other 'Side, their humble Desires to be, *That your Majesty would hearken to your Parliament, and, declining all other Counsels whatsoever, unite your Confidence to your Parliament; and that your Majesty would not divide your Subjects joint Duty to your Majesty, the Parliament, and Kingdom; nor destroy the Essence of your Great Council and Highest Court, by subjecting the Determinations and Counsels thereof to the Counsels and Opinions of any private Person whatsoever; that your Majesty having passed an Act that this Parliament shall not be dissolved but by Act of Parliament, your Majesty would not do any Thing tending thereunto, by commanding away the Lords and great Officers, whose Attendance is necessary thereunto: And that your Majesty, having expressed your Confidence in the Affections of that County, would please to dismiss your extraordinary Guards, and the Cavaliers and others of that Quality, who seem to have little Interest or Affection to the Public Good; their Language and Behaviour speaking nothing but Division and War, and their Advantage consisting in that which is most destructive to others:*

'*And*, lastly, *That, in such Consultations and Propositions as your Majesty maketh to that County, such may not be thrust upon them as Men of that County, that neither by their Fortune or Residence are any Part of it.*

'All which their humble and most just Desires 'being according to Law, which your Majesty 'hath, so often, declared should be the Measure 'and Rule of your Government and Actions: And 'we, your Majesty's most faithful Subjects, the 'Lords and Commons, fully concurring with the 'Gentlemen and others of the County of *York*, in

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'their Assurance that those Desires of theirs will abundantly redound to the Glory of God, the Honour and Safety of your Majesty, the Good of your Posterity, and the Peace and Prosperity of this Kingdom, do humbly beseech your Majesty graciously to hearken unto them, and to grant them; and that you would join with your Parliament in a speedy and effectual Course, for the Preservation of their Liberties and the Peace of the Kingdom, which Duty, as we are now called upon by that County to discharge, so do we stand engaged to God and Man for the Performance thereof, by the Trust reposed in us, and by our solemn Vow and Protestation; and your Majesty, together with us, stands engaged by the like Obligation of Trust, and of an Oath, besides the many and earnest Professions and Protestations which your Majesty hath made to this Purpose, to your whole Kingdom in general, and to that County in particular; the Peace and Quiet of this Kingdom, (as is well observed by those Gentlemen and Freeholders of *Yorkshire* in their Petition) being the only visible Means, under God, wherein consists the Preservation of the Protestant Religion, the Redemption of our Brethren in *Ireland*, and the Happiness and Prosperity of your Majesty, and of all your Dominions.' An. 18. Car. I. 1642. June.

The KING's ANSWER *to the foregoing* PETITION *of both Houses.*

'HIS Majesty hath carefully weighed the Matter of this Petition, presented to him at *York*, on *Friday* the 17th of *June*, by the Lord *Howard*, Sir *Hugh Cholmley*, and Sir *Philip Stapylton:* And tho' he might refer the Petitioners to his two last Declarations, wherein most of the Particulars in this Petition are fully answered, or might refuse to give any Answer at all, till he had received Satisfaction in those high Indignities he hath so often complained of, and demanded Justice for; yet, that all the World may see how de- His Majesty's Answer.

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'ſirous his Majeſty is to leave no Act, which 'ſeems to carry the Reputation of both his Houſes 'of Parliament, and in the leaſt Degree to reflect 'upon his Majeſty's Juſtice and Honour, unan-'ſwered, is graciouſly pleaſed to return this An-'ſwer:

'That if the Petition, mentioned to be preſented 'to both Houſes of Parliament, had been annexed 'to this now delivered to him, his Majeſty might 'have diſcerned the Number and the Quality of the 'Petitioners, which his Majeſty hath great Reaſon 'to believe was not in Truth ſo conſiderable as is 'pretended; for his Majeſty aſſures you, That he 'hath never refuſed any Petition ſo atteſted as that 'would be thought to be: But his Majeſty well re-'members, that on the third of *June*, when there 'was, upon his Majeſty's Summons, the greateſt 'and moſt chearful Concourſe of People that ever 'was beheld of one County, appearing before him 'at *York*, a Gentleman (one Sir *Thomas Fairfax*) 'offered, in that great Confluence, a Petition to 'his Majeſty; which his Majeſty, ſeeing to be 'avowed by no Man but himſelf, and the general 'and univerſal Acclamations of the People ſeeming 'to diſclaim it, did not receive; conceiving it not 'to be of ſo public a Nature, as to be fit to be pre-'ſented or received in that Place. And his Majeſty 'is moſt confident (and in that muſt appeal to thoſe 'who were then preſent) that whatever the Sub-'ſtance of that Petition was, it was not conſented to 'by any conſiderable Number of Gentry or Free-'holders of this County; but ſolicited by a few 'mean inconſiderable Perſons, and diſliked and vi-'ſibly diſcountenanced by the great Body of the 'known Gentry, Clergy, and Inhabitants of this 'whole County. And if the Matter of that Peti-'tion were ſuch as is ſuggeſted in this, his Majeſty 'hath great Reaſon to believe it was framed and 'contrived (as many others of ſuch Nature have 'been) in *London*, not in *Yorkſhire*. For ſure no 'Gentleman of Quality and Underſtanding, of 'this County, would talk of his great Prepara-

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'tions of Arms, and other warlike Provisions, to the great Terror and Amazement of his peaceable Subjects, when they are Witnesses of the violent taking his Arms from him, and stopping all Ways for bringing more to him: And if there were no greater Terror and Amazement of his Majesty's peaceable Subjects, in other Places, by such Preparations and Provisions, there would be no more Cause to complain of a great Decay of Trade and Commerce there, than is in this Place: But his Majesty hath so great an Assurance of the Fidelity and general Affections of his good Subjects of this County, (which he hopes will prove exemplary over his whole Kingdom) that he hath great Cause to believe, That they do rather complain of his Majesty's Confidence, and of his Slowness; that whilst there is such Endeavour abroad to raise Horse, and to provide Arms against his Majesty, and that Endeavour put in Execution, his Majesty trusts so much to the Justice of his Cause and the Affections of his People, and neglects to provide Strength to assist that Justice, and to protect those Affections. For any Affronts offered, by the Earl of *Lindsey* and the Lord *Saville*, to those who intended to petition his Majesty, his Majesty wishes that both his Houses of Parliament would have examined that Information, and the Credit of the Informers, with that Gravity and Deliberation, as in Cases which concern the Innocence and Honour of Persons of such Quality hath been accustomed; before they had proscribed two Peers of the Realm, and exposed them, (as much as in them lay) to the Rage and Fury of the People, under the Character of being Enemies to the Commonwealth; a Brand newly found out (and of no legal Signification) to incense the People by, and with which the Simplicity of former Times was not acquainted: And then his Majesty hath some Reason to believe they would have found themselves as much abused in the Report concerning those Lords, as he is sure they are in those which tell them of *the Resort of great Numbers*

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'*of diſcontented Perſons to him*, and of the other 'Particulars, mentioned to be in that Petition: 'Whereas they who obſerve what Reſort is here to 'his Majeſty, well know it to be of the prime 'Gentlemen of all the Counties in *England*; whom 'nothing but the Love of Religion, the Care of the 'Laws and Liberties of the Kingdom, beſides their 'Affection to his Perſon, could engage in ſo great 'Journies, Trouble, and Expence: Men of as 'precious Reputation, and as exemplary Lives, as 'this Nation hath any; whoſe Aſſiſtance his Maje-'ſty knows he muſt not expect, if he ſhould have 'the leaſt Deſign againſt Honour and Juſtice; and 'ſuch Witneſſes his Majeſty deſires to have of all 'his Actions.

'*For the declining all other Counſels, and the uni-'ting of his Confidence to his Parliament*; his Maje-'ſty deſires both his Houſes of Parliament ſeriouſly 'and ſadly to conſider, That it is not the Name of 'a Great or Little Council that makes the Reſults 'of that Council juſt or unjuſt; neither can the Im-'putation upon his Majeſty, of *not being adviſed by 'his Parliament*, (eſpecially ſince all their Actions, 'and all their Orders are expoſed to the public 'View) long miſlead his good Subjects, except in 'Truth they ſee ſome particular ſound Advice, ne-'ceſſary to the Peace and Happineſs of the Com-'monwealth, diſeſteemed by his Majeſty; and 'ſuch an Inſtance, he is moſt aſſured, neither can 'nor ſhall be given: And that they will think it 'Merit in his Majeſty, from the Commonwealth, 'to reject ſuch Counſel as would perſuade him to 'make himſelf none of the Three Eſtates; and by 'giving up his Negative Voice, to allow them a 'Power ſuperior to that which the Law hath given 'him, whenſoever it pleaſeth the Major Part, pre-'ſent, of both Houſes to ſay, *That he doth not diſ-'charge his Truſt as he ought*; and to ſubject his, 'and his Subjects, unqueſtionable Right and Pro-'perty to their Votes, without, and againſt, Law, 'upon the meer Pretence of Neceſſity. And his Ma-'jeſty muſt appeal to all the World who it is *that*

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'endeavours to divide the joint Duty of his Subjects; An. 18. Car. I.
'his Majesty, who requires nothing but what their 1642.
'own Duty, guided by the infallible Rule of the June.
'Law, leads them to do; or they, who, by Orders and Votes (opposite and contradictory to 'Law, Custom, Precedent, and Reason) so confound the Affections and Understandings of his 'good Subjects, that they know not how to behave 'themselves with Honesty and Safety; whilst their 'Conscience will not suffer them to submit to the 'one, nor their Security to apply themselves to the 'other.

'It is not the bare saying, *That his Majesty's Actions are against the Law*, (with which he is reproached in this Petition, as if he departed from his 'often Protestations to that Purpose) must conclude 'him; there being no one such Particular in that Petition alledged, of which his Majesty is, in the least 'Degree, guilty. Whether the same Reverence and 'Esteem be paid by you to the Law, (except your 'own Votes be Judges) needs no other Evidence 'than those many, very many, Orders, published in 'Print, both concerning the Church and State; 'those long Imprisonments of several Persons, without hearing them, upon general Information; the 'great unlimited Fees to your Officers, worse than 'the Imprisonment, and the arbitrary Censure upon them when they are admitted to be heard: 'Let the Law be Judge by whom it is violated.

'For that Part of the Petition which seems to accuse his Majesty of a *Purpose to dissolve this Parliament*, (contrary to the Act for the Continuance) 'by commanding away the Lords and great Officers, 'whose Attendance is necessary: This his Majesty 'well knows to be a new Calumny, by which the 'grand Contrivers of Ruin for the State hope to seduce the Minds of the People from their Affection 'to, or into Jealousy of, his Majesty; as if he 'meant, this Way, to bring this Parliament (which 'may be the Case of all Parliaments) to nothing. 'It is not possible for his Majesty more to express 'his Affection to, and his Resolution for, the Free-

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'dom, Liberty, and Frequency of Parliaments; 'than he hath done: And whoever conſiders how 'viſible it muſt be to his Majeſty, That it is im- 'poſſible for him to ſubſiſt without the Affections of 'his People, and that thoſe Affections cannot poſ- 'ſibly be preſerved, or made Uſe of, but by Par- 'liaments, cannot give the leaſt Credit, or have the 'leaſt Suſpicion, that his Majeſty would chuſe any 'any other Way to the Happineſs he deſires for 'himſelf and his Poſterity, but by Parliaments.

'But for his calling the Lords hither, or any 'others abſenting themſelves who have not been 'called, whoever conſiders the Tumults (which 'no Votes or Declaration can make to be no Tu- 'mults) by which his Majeſty was driven away, 'and many Members of either Houſe in Danger 'of their Lives; the Demanding of the Names of 'thoſe Lords, who would not conſent to their Pro- 'poſitions, by a Meſſage from the Houſe of Com- 'mons delivered at the Bar by Mr. *Holles*; with 'that moſt tumultuous Petition in the Name of ma- 'ny Thouſands, (among many others of the ſame 'Kind) directed to the Houſe of Commons, and 'ſent up by them to the Houſe of Lords, taking 'Notice of the Prevalency of a Malignant Faction 'which made abortive all their good Motions that 'tended to the Peace and Tranquility of the King- 'dom; deſiring that thoſe Noble Worthies of the 'Houſe of Peers, who concurred with them in their 'happy Votes, might be earneſtly deſired to join 'with that Honourable Houſe, and to ſit and vote 'as one intire Body; profeſſing, That unleſs ſome 'ſpeedy Remedy were taken for the Removal of all 'ſuch Obſtructions as hindered the happy Progreſs 'of their great Endeavours, their Petitioners ſhould 'not reſt in Quietneſs; but ſhould be inforced to lay 'hold of the next Remedy which was at Hand, to 'remove the Diſturbers of their Peace; and (Want 'and Neceſſity breaking the Bounds of Modeſty) 'not to leave any Means uneſſayed for their Re- 'lief: Adding, that the Cry of the Poor and Needy

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'was, That such Persons who were the Obstacles of their Peace, and Hinderers of the happy Proceedings of this Parliament, might be forthwith publickly declared; whose Removal, they conceived, would put a Period to these Distractions. Upon which, a great Number of Lords departing, the Vote, in order to the Ordinance concerning the Militia, was immediately passed; tho' it had been twice before put to the Question, and rejected by the Votes of much the Major Part of that House. And whoever considers the strange Orders, Votes, and Declarations which have since passed, to which whosoever would not consent, that is, with Freedom and Liberty of Language protest against, was in Danger of Censure and Imprisonment, will not blame our Care in sending for them, or theirs in coming, or absenting themselves from being involved in such Conclusions. Neither will it be any Objection, *That they stayed there long after any Tumults were, and therefore that the Tumults drave them not away:* For if every Day produced Orders and Resolutions as illegal as, and indeed but the Effects of, the Tumults, there was no Cause to doubt the same Power would be ready to prevent any Opposition to those Orders after they were made, which had made Way and Preparation for the Proposition of them; and so whosoever conceived himself in Danger of future Tumults (against which there is not the least Provision) was driven away by those which were past. And his Majesty hath more Reason to wonder at those who stay behind, after all his legal Power is voted from him, and all the People told, *That he might be, with Modesty and Duty enough, deposed*, than any Man hath at those who have been willing to withdraw themselves from the Place where such desperate and dangerous Positions are avowed. This his Majesty doth not mention, with the least Thought of lessening the Power or Validity of any Act to which he hath given his Assent this Parliament; all and every of which he shall as inviolably observe, as he looks

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'to have his own Rights preserved; but to shew by 'what Means so many strange Orders have of late 'been made: And to shew how earnestly his Majesty desires to be present with, and receive Advice 'from, both Houses of Parliament. (against whom 'it shall never be in the Power of a Malignant Party to incense him) his Majesty again offers his 'Consent, That both Houses may be adjourned to 'any other Place which may be thought convenient, 'where his Majesty will be present, and doubts not 'but the Members of either House will make a full 'Appearance; and even the Intermission, which 'must attend such an Adjournment, may not be the 'least Means of recovering that Temper which is 'necessary for such Debates.

'And this his Majesty conceives to be so very 'necessary, that if the Minds and Inclinations of 'every Member of either House were equally composed, the Licence is so great that the mean People 'about *London* and the Suburbs have taken, that, 'both for the Liberty and Dignity of Parliament, 'that Convention, for a Time, should be in another Place. And sure, how much soever the 'Safety and Security of this Kingdom depends on 'Parliaments, it will never be thought that those 'Parliaments must of Necessity be at *Westminster*.

'His Majesty's Confidence is no less than he hath 'expressed (and hath great Cause to express) in the 'Affections of this County; an Instance of which 'Affections all Men know his Guard (which is not 'extraordinary) to be; and wonders that such a 'legal Guard, at his own Charge, for his Person, '(within twenty Miles of a Rebellion, and of an 'Army in Pay against him) should be objected to 'by those, who, for so many Months, and in a 'Place of known and confessed Security, have, 'without and against Law, kept a Guard for themselves, at the Charge of the Commonwealth, and 'upon that Stock of Money which was given for 'the Relief of the miserable and bleeding Condition 'of *Ireland*, or the Payment of the great Debt due 'to our Kingdom of *Scotland*.

'For

'For the Resort of Papists to the Court; his Ma- An. 18. Car. I.
'jesty's great Care for the Prevention thereof is no- 1642.
'toriously known: That when he was informed June.
'two or three of his intended Guard were of that
'Religion, he gave special Directions, with Ex-
'pressions of his Displeasure, that they should be
'immediately discharged; and provided that no
'Person should attend on him, under that Relation,
'but such as took the Oaths of Allegiance and Su-
'premacy; that he commanded the Sheriff to pro-
'ceed with all Severity, according to the Law,
'against all Papists that should come within five
'Miles of the Court; and if, notwithstanding this,
'there be any Papists near the Court, (which his
'Majesty assures you he knows not, nor hath heard,
'but by this Petition) he doth hereby command
'them to depart; and declares to all Officers and
'Ministers of Justice, that they shall proceed strictly
'against them, according to the Law, and as they
'will answer the contrary at their Perils.

'For the Language and Behaviour of the Cava-
'liers (a Word, by what Mistake soever, it seems
'much in Disfavour) there hath not been the least
'Complaint here; and therefore 'tis probable the
'Fault was not found in this County. Neither can
'his Majesty imagine what is meant by the Men-
'tion of *any Men thrust upon them, in such Consul-*
'*tations and Propositions as his Majesty makes to this*
'*County, who are neither by their Fortune or Resi-*
'*dence any Part of it*; and therefore he can make
'no Answer to it.

'To conclude: His Majesty assures you, he hath
'never refused to receive any Petition, (whether
'you have or not, yourselves best know) and wills
'you to consider what Reputation it will be to you
'of Justice or Ingenuity, to receive all Petitions,
'how senseless and scandalous soever, of one Kind,
'under the Pretence of understanding the good
'People's Minds and Affections; and not only re-
'fuse the Petition, but punish the Petitioners of ano-
'ther Kind, under Colour that it is a Crime, that
'they are not satisfied with your Sense; as if you

'were

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'were only truſted by the People of one Opinion, 'to take all Pains to publiſh and print Petitions 'which agree with your Wiſhes, though they were 'never preſented; and to uſe the ſame Induſtry and 'Authority to keep thoſe, that indeed were preſent-'ed and avowed, from being publiſhed, (though 'by our own Authority) becauſe the Argument is 'not pleaſant to you; to pretend Impartiality and 'Infallibility, yet to expreſs the greateſt Paſſion and 'Affection in the Order of your Proceedings, and 'no leſs Error and Miſunderſtanding in your Judg-'ments and Reſolutions.

'He doth remember well the Obligation of his 'Truſt, and of his Oath; and deſires that you will 'do ſo too, and your own ſolemn Vow and Pro-'teſtation; and then you will not only think it 'convenient, but neceſſary, to give his Majeſty a 'full Reparation for all the Scandals laid upon him, 'and all the ſcandalous Poſitions made againſt him; 'and that it is leſs Diſhonour to retract Errors, 'than, by avowing, to confeſs the Malice of them; 'and will ſee this to be the ſureſt Way for the Pre-'ſervation of the Proteſtant Religion, the Redemp-'tion of your Brethren in *Ireland*, the Happineſs 'and Proſperity of yourſelves, and all our Domi-'nions, and of the Dignity and Freedom of Par-'liament.'

A Conference thereupon.

The foregoing Petition and Anſwer being read, the Lords reſolved to deſire a Conference with the Commons thereupon, 'Being, (as it is expreſſed in their *Journals*) a Matter the moſt dangerous and higheſt that ever came to them; whereby it appeared, that divers ſcandalous and falſe Informations were come to his Majeſty's Ears, even of Things within their own Walls; which, becauſe he ſeemed to believe and declare to the World, under his own Name, it was high Time for both Houſes to clear themſelves from thoſe Calumnies, by the Puniſhment of thoſe falſe Informers, and by all other good Ways that can be thought of.' This was to be the Subject of the Conference.

It

It was also ordered, 'That it be referred to the Committee, formerly appointed to clear the House from the Imputations laid on them in his Majesty's Messages, to collect all the Falsities and Scandals contained in this and the other Messages, to set them forth in one Declaration; and to shew the several Violations of the Laws, since the Professions to the contrary; yet notwithstanding to express their Duty to his Majesty, and their Care of the Peace; and to declare that the House does intend to go on with the Propositions; and that, at the Time of these sharp Messages, there is a Gathering of Forces together, and a Design to fortify *Newcastle*; and to shew what Necessity there is, upon these Occasions, to stir up the People to their Subscriptions.' An. 18. Car. I. 1642. June.

A Proclamation of the King against levying of Horse, bringing in of Money, Plate, *&c.* for the Use of the Parliament, having been attempted to be proclaimed in *London*; and, by Order of the Lord Mayor, posted up at the usual Places in the City; the Sword-Bearer, who did it, was sent for, and committed to the *Fleet*. The Lord Mayor and Sheriffs were also ordered to attend the House the next Day: But the Lord Mayor, at his Appearance, averring, That he was bound, by his Oath, to execute all Writs from the King, he was told by the Speaker, in the Name of the House, 'That he was not bound, by any Oath, to execute any Writ against Law; and that they required him not to publish any Thing of that Kind, before he had acquainted the Parliament therewith, as he would answer the contrary at his Peril.' The Lord-Mayor, *&c.* censur'd for dispersing a Proclamation of the King's.

Nothing material happened after this, in the House of Lords, till the next Month; but, on the 27th of this, the Commons took into Consideration their Nineteen Propositions to the King for Peace, and his Answer to them: And, in a full House, it was first resolved, 'That the House should not insist upon naming the Lord High-Steward of *England*, mentioned in the third Proposition. Debate on the Nineteen Propositions.

Re-

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'Resolved, That the House shall insist upon the Lord-Chancellor, or Lord-Keeper of the Great Seal, to be always chosen with the Approbation of both Houses of Parliament.

The like Resolutions were separately made on the Parliament's Nomination of the Lord-Treasurer, Lord-Admiral, Lord Chief Governor of *Ireland*, Master of the Wards, the two Chief Justices and the Chief Baron; but they gave up to the King the Election of the Lord Privy-Seal, the Earl Marshal, Warden of the Cinque Ports, Chancellor of the Exchequer, and the two Secretaries of State: With some other Amendments.

Affairs at this Time began to grow very critical between the King and Parliament; and, after so long a Paper War as had been carried on and still continued, both Sides seem now resolved to determine the Controversy by the Sword. The Parliament had received repeated Assurances from their Agents, the Lord-Lieutenants, of the good Success of their Militia Ordinance in most Parts of the Kingdom; and they had now great Store of Men and Money in Readiness, tho' we do not find that any considerable Number of Forces were yet drawn together: But that the Minds of all the King's Subjects were not, at this Time, wholly alienated from him, will appear from the following remarkable Letter, sent from the Sheriff and Gentry of the County of *Nottingham*, to Sir *Thomas Hutchinson*, Knt. and *Robert Sutton*, Esq; their Representatives in Parliament; which, as it will best express the Sense of the Royal Party at this Time, we shall give in its own Words: [a]

A Letter from the Sheriff and Gentry of *Nottinghamshire* to their Members.

Gentlemen,

FInding, to our great Grief, by divers printed Declarations, the unhappy Differences betwixt his Majesty and his Parliament; and from thence apprehending great Fear of further Distractions, we have thought

[a] From the original Edition, printed at *York*, *July* 1, 1642, by *Robert Barker*.

thought fit to impart our Hearts freely unto you as Men chosen by, and intrusted for, us, to represent us and our Desires in the Honourable House of Commons. An. 18. Car. I. 1642. June.

In the first Place, upon all Occasions, we desire you to tender the Acknowledgment of our humble and hearty Thanks for those many good Laws, which, by their Care and Wisdom, together with his Majesty's Grace and Favour, have been obtained for us, both for the securing us in the Point of our Property, and also for the freeing us from the unlimited Power of Arbitrary Government: And herein his Majesty having concurred with you in all that we could expect or can desire, both for our Persons and Estates; and at several Times promised to join with his Parliament for the reforming and reducing both the Doctrine and Discipline of the Church to the best and purest Times since the Reformation; if this were done, what others would expect we know not; we desire no more.

And now we cannot but stand amazed to see the King, the Lords, and Commons agree in all that we can think necessary for Reformation, and for securing us hereafter to be governed according to the good Laws of the Land in Force, and yet such great Distraction among those three Estates. We heard long since Reports, and saw printed Papers of the great Dangers of Papists, and that even in our own County; but believe there was no Truth nor Ground for any such: We heard great Rumours of foreign Forces from France *and* Denmark; *but, Thanks be to God, we see no such Danger: And yet, under these Pretences, there is great Preparation of putting us in a Posture of Defence, and a great Necessity pretended of settling the Militia; but we see more Cause to fear the Remedy than the Disease: For this Posture, as you call it, of Defence, doth carry a Face of War with it even amongst ourselves; and concerning it we are distracted with contrary Commands; the Houses of Parliament command one Thing, the King forbids that Command; the King commands, and the Houses of Parliament forbid that Command; and we are at a Stand; but yet we are ever ready to yield Obedience to all the known Laws of the Land; and we have ever been taught,*

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That all those Laws were made by Parliaments, consisting of three Estates, the King, Lords, and Commons; and we think it dangerous to untwist that triple Cord: And we hold it our greatest Privilege, That the King and Lords, whom we have heard sometime joined in Council, could not make a Law to bind us without our Consent in Parliament; and, by the same Reason, we cannot expect that the Commons, with the Lords, should make a Law, or an Ordinance of the Force of a Law, to bind, without the King, especially against the King. And as we do not yield any Act of Obedience to the King's Command simply, but as it is warranted by Law, made by his Authority, with the Consent of both Houses, so we shall not conceive ourselves bound to obey one or both Houses without the King, but in such Things as are according to the known Laws of the Land.

When the King, by his Writ, gave us Power to chuse you, it was to treat De quibusdam arduis, &c. *We never conceived your only Votes should be our Law, nor conceived we had such a Power to confer upon you: And we require you not to consent to lay any such Command upon us, nor to engage us in any Civil War for the Maintenance of such Votes, under Colour of Privileges, against our lawful King; to whom many of us, by the Appointment of the Law, have taken the Oath of Supremacy and Allegiance, to which all of us are bound. And beside, we have, at the Command of both Houses, taken the late Protestation; wherein we have vowed to maintain the Doctrine of the Church of* England, *his Majesty's Royal Person, Honour, and Estate, the Privileges of Parliament, and the Liberties of the Subject; and we shall endeavour to maintain every Part and Clause thereof respectively with our Lives and Fortunes: And we conceive our best Directions therein to be the known Laws, the Maintenance whereof we account our only Liberty and Defence. And we account the surest Way to enjoy the Benefit of these Laws, is to join and comply with his Majesty, under whose Protection, next under God, we can only hope to enjoy the Benefit thereof; especially his Majesty having, since this Parliament, joined in the making of as*

as good Laws as ever any King hath done; and made so gracious Promises of his future Government according to the Law, and given abundant Satisfaction for some unhappy Accidents in his past Government, that we conceive great Cause to return him chearful Thankfulness for these Laws; and to yield a faithful Obedience, and to confide in him for the future. An. 18. Car. I. 1642. June.

This is the clear Expression of our Hearts: This is what we desire you to consent to for us. And we shall heartily pray that we might be an Example to many others to make the like Expressions; and then we should not doubt but this would bring a right Understanding betwixt the King and his People; and take away all Fears and Jealousies, and settle a firm Peace amongst us.

We should gladly, with all Humility, have petitioned your Honourable House, yet still to this Purpose; but we understand some Counties have done so, which hath been displeasing unto them, because contrary to their Sense; and we, perhaps, through Ignorance, might fall into the same Error: Yet we hope it will not be displeasing unto you, that we give you our Sense freely, for you are us; and we hope you will not be unwilling to follow our Sense, so far as you conceive it to be the Sense of your County, whose you are, and for whom you serve. And so we rest

Your very loving Friends and Countrymen,

John Digby, *High Sheriff*,
John Byron,
Richard Parkyns,
William Appleton,
Robert Pilson,
George Lascelles,
Matthew Palmer,
Roger Cooper,
Isham Parkyns,
Jo. Wood,
Gervase Holles,
Richard Byron,
Jo. Nevile,
Edmund Hastings,
Edward Andrews,
Thomas Blackwall,
William Sandys,
Thomas Longford,
Gervase Sandford,
Richard Harpur,
Gabriel Armstrong,
Acton Burnell,
Samuel Bolles,
Rowl. Pand,
John Odingsells,
Anthony Gilby,

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Robert Eyre,	John Lee,
Parke Creſſy,	Jo. Worſdale,
Thomas Houlder,	William Shipman,
Robert Saunderſon,	Charles Leek,
John Walker,	William Apſley,
Thomas Fox,	Francis Cavendiſh,
J. Bolles,	Charles North,
William Smyth,	Matthew Palmer,
Nich. Stoyt,	Richard Hollowell,
Thomas Hallowell,	Roger Jackſon,
Richard Draper,	John Leek,
Thomas Atkinſon,	Richard Simman,
Lancellot Rolſton,	Stephen Broome,
Thomas Newton,	William Colby,
William Wild,	John Newport,
Herbert Leek,	Henry Caldecott,
Thomas Brown,	Edward Holland,
William Smythſon,	Henry Broome,
Jo. Goſling,	William Hacker,
William Oglethorpe,	James Forbeny,
George Laſcelles,	Job Holden,
John Clay,	Richard Bowyer,
George Mitford,	William Pocklington,
William Needham,	Henry Green,
Richard Brough,	Walter Garrington,
John Butterworth,	John Grundy,
Thomas Poole,	G. Flower.

But to return to the *Journals*:——

July 1. The Lord-Admiral informed the Lords, That ſome Letters, intercepted by a Ship ſtationed on the Northern Coaſt, were ſent to him, which did concern the Safety of the Kingdom: And one of them, wrote by Colonel *Wilmot* to one Mr. *Crofts*, in *Holland*, was then read, and was *in hæc Verba*:

Dear WILL,

An intercepted Letter from Col. *Wilmot*.

BY theſe laſt Letters to the Queen, you will find a great Alteration of Buſineſs here. The King, that, very lately, appeared almoſt abandoned by all his Sub-

Subjects, is now become the Favourite of the King-dom; yet, I believe, his Enemies are not so neglected, as not to be able to raise an Army to oppose him: And, indeed, here lies the Test, for they will be followed just enough to forfeit their Estates; which, I have heard you often say, were better bestowed on some of us.——Yesterday there came a Messenger from the House, who had an Order, and did raise the Power of the County to intreat Berkley, Ashburnham, *and myself, to come to speak to the House; but the King gave the Messenger a short Answer, and an Officer, or two, gave him a short Cudgel; so he is returned to* London *a fine Gentleman, with his Arm in a Scarf. Dear* Will *conserve me in your good Opinion, for I assure you I am*

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Your affectionate humble Servant,

York, June 22, 1642. H. WILMOT.

At a Conference this Day, also, the Commons communicated an Abstract of some Letters they had received from *Newcastle*, dated the 22d and 28th of *June*, which were as follows:

Informations from *Newcastle*.

WE fear a Storm, and we see it already begun. The Earl of Newcastle *came here on* Friday *last, to be Governor of* Newcastle. *He hath taken up a great many Soldiers, and our Town is now guarded. Capt.* Legge *is there with a great many debauch'd Commanders; and Drums go about for all Soldiers that will serve the King and Parliament, as they say; they refuse none, whatsoever Condition they be of.*

Three hundred Soldiers are sent down to Tinmouth *Castle to guard it; and they have all Arms given them out of the Magazine here in this Town: There are great Guns going down to them, six Pieces: They are casting up Trenches as fast as may be: There is a Fort making at the Haven Mouth, that no Ships can go in or out without their Leave. We never lived in the like Fear which now we live in.*

The Earl of Newcastle, *who is Lord-Lieutenant, hath forced all his Tenants to take up Arms; and*

An. 18. Car. I. 1642. July. *there are many of Sir* William Widdrington's *own Tenants have taken Arms. Sir* William *is now at this preſent in Parliament; but his Chief Steward brought them in. I was down at* Shields *and ſaw the Trenches myſelf. Yeſterday all the Conſtables in this Town were commanded to go through their ſeveral Wards, and take Notice what Arms are in them, and to give a Liſt to the Lord-Lieutenant. They have got Engineers out of* Germany, *and Gunners for their great Guns. The Earl of* Newcaſtle *came hither laſt Week, and, in his Way, gave out a Warrant to the Sheriff and other Officers of the County of* Durham, *to ſend here* 100 *Horſe, and* 500 *Foot with their Officers. There are come in, of the Earl's and Sir* William Widdrington's *Tenants, about* 200, *and have taken Arms much againſt their Wills. At* Durham *the Drum beat up, they ſaid, for the King; but ſince they came here, it is ſtruck up for the King and Parliament. The Earl is making Forts at* Shields, *one on each Side. There are divers of the great Ordnance removed to the Key-ſide to be ſent down. There is here an Expectation of ſome Direction from Parliament to countermand them; and if ſpeedy Courſe were yet taken, it might reduce all that is done.*

Next follows in the Journals, a Copy of the Earl of *Newcaſtle*'s Warrant, directed to the High-Sheriff, Deputy-Lieutenants, and Juſtices of the Peace for the County of *Durham*, for raiſing 100 Horſe, and 500 Foot, as aforeſaid; which, being only Matter of Form, we omit, in order to come at the more material Reſolutions of Parliament upon this Intelligence. And,

A Conference thereupon. *Firſt*, Was repreſented the Inconveniences and Danger, by bringing of Soldiers into *Newcaſtle*; as, That it was an eaſy Receptacle for foreign Forces: A Receptacle, alſo, for ſuch ill-affected Perſons, as might repair thither out of the South Parts of *Scotland*. They would have the Power of reſtraining the Trade of Sea-Coal, and enhancing the Price, having the entire Command over them. The well-affected People there would be too much dif-

discouraged, as they had been too much already, by putting in these Forces; and the Papists thereabouts would be much encouraged, wherewith *Northumberland* and the Bishoprick do much abound; and the Party of Malignant Clergy, which is strong there also, would be ready to join with them. *Lastly*, The Fear of begetting a Jealousy between the two Nations of *England* and *Scotland*, and breaking the Pacification. An. 18. Car. 1642. July.

Next, For the Illegality of this Proceeding: It was done by a Warrant from the Earl of *Newcastle* to the Sheriff, Deputy-Lieutenants, &c. of the Bishoprick of *Durham*; reciting a Warrant of his Majesty's, who had made him Lord-Lieutenant of the Counties of *Northumberland* and *Durham*, and Governor of *Newcastle*, and giving him Power to place a Garrison there. This was illegal, because all such Commissions of Lieutenancy, &c. were declared to be against Law. The Drawing of armed Men out of one County into another, by any Warrant, as this was, is also against Law.

The Remedy proposed for this was, *first*, To set out a Declaration against this illegal Proceeding. *Next*, To command the Inhabitants of the Counties of *Durham* and *Northumberland*, not to suffer such Forces to go out of their Counties; nor to send any such into *Newcastle*; with an Inhibition to the Inhabitants of that Place to receive any. That two of the King's Ships should be sent to guard the Mouth of the *Tyne*, and to receive and execute, from Time to Time, the Directions of Parliament, for the Preservation of that Place, and prevent the Inconveniences that may happen from the new-built Fort. All which was agreed to by both Houses.

Account of Officers, Ammunition, &c. coming from *Holland* for the King's Use.

In the Afternoon of this Day the Lords read a long Letter from *Amsterdam*, with an exact Description of all the Arms bought in *Holland*, and then embarking from thence for the North of *England*. That on board these Vessels were also Prince *Rupert*, Prince *Maurice*, Lord *Denbigh*, Lord *Digby*, *O'Neal* that Traitor, Sir *Lewis Dives*, Capt. *Hyde*, and

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and Col. *Wilson*, sent for out of *Germany*, with many other Gentlemen and Commanders.

Next was read a Petition from the Town of *Nottingham*, desiring the Parliament's Protection from a Surprize of that Place and Castle, of great Strength, and situated to command the River *Trent*, the great North Road, and the adjacent Country.

Proceedings against his Majesty's Commission of Array.

The King's Commission of Array having been proclaimed and published in *London*, it was ordered, That the Lord Mayor, the Sheriffs, the Mace-Bearer, and all other Officers that had any Hand in this Proclamation, should attend the House the next Morning: And

A Declaration of Parliament having been framed, by the Commons, against the King's Commission of Array, it was, this Day, agreed to by the Lords, and ordered to be forthwith printed and published.

An Ordinance was made to constitute *Robert* Earl of *Warwick* Commander in Chief over all the Fleet, now at Sea, with a full Commission to remove or displace all Officers whatsoever, *&c.* instead of the Earl of *Northumberland*; who is therein styled a Person of known Integrity and Honour, whom the Kingdom might safely confide in, but lately discharged by the King, from being Lord High-Admiral of *England*.

A great many Letters of Intelligence, from different Parts of the Kingdom, besides what we have mentioned, were this Day read; which, altogether, without the Declaration against the Array, makes no less than forty-four Pages in the *Lords Journals*. [b]

July 2. The Lords were informed, That the Lieutenant of the *Tower* had a Warrant from the King to release Mr. *Benyon* from his Imprisonment, and that the King had pardoned him his Offences for which he was committed; which were the promoting a Petition from the Citizens of *London* against the

[b] This Declaration against the Commission of Array, *&c.* and the King's Answer, which, on account of their Prolixity, we omit, may be found in *Rushworth*, Vol. IV. p. 661, *et seq.* and in *Husband*, from p. 386 to 441.

the Ordinance for the Militia [c]. The Lieutenant was examined about it, who produced his Warrant, and said, that the said *Benyon* was now at his own House with his Keeper. Hereupon the Usher of the Black Rod was ordered to attach the Body of *George Benyon*, and bring him presently before the House, But we hear no more of him. An. 18. Car. I. 1642. July.

The Lord Mayor's Attendance on the House was deferred to the 5th Instant.

A Conference was this Day held between the two Houses, concerning a Book, lately published by the King, relating to Levies, in Answer to one called *A new Declaration of the Lords and Commons, of the 18th of* June *last*, &c. in which the Lords desired the Commons to consider into what Condition all those Persons are brought, who have obeyed the Orders and Commands of Parliament; and this Declaration would give them a clear View of it. They desired the House of Commons would so take it to Heart, that there might be a speedy Course taken, by both Houses, to provide for the Safety of the Sitting of Parliament, the Lives of the Members thereof, and of all those who have obeyed their Commands. A Conference concerning the King's Declaration about Levies.

July 4. At a Conference of both Houses, a Letter sent from the King to the Earl of *Warwick* was read, importing, 'That whereas his Majesty had discharged the Earl of *Northumberland* from being Lord High-Admiral of his Fleet, this was to charge the said Earl, on his Allegiance, and as he tendered the Peace of the Kingdom, to give over and relinquish the Command he had, or pretended to have, in any of the King's Ships; since it was notoriously known, that, by the Laws of the Land, it was no less than High Treason, for any Person whatsoever, to detain any of his Majesty's Ships contrary to his Commands. Letters, Orders, &c. relating to the Command of the Fleet.

Then a List was shewn of such Officers, as, at a Council of War, held on board the *James*, agreed to

[c] The Proceedings against this Gentleman are recited, at large, in our Tenth Volume.

An. 18. Car. I. 1642. July. to obey the Ordinance of Parliament, and the Earl of *Warwick*'s Commands, to the Number of ten Captains and six Masters: But Sir *John Mennes*, Capt. *Robert Slingsby*, Capt. *John Burley*, Capt. *R. Fogg*, and Capt. *Baldwin Wake*, sent Letters each of them to the Earl, which Letters were read in the House, declaring, 'That they had all received Injunctions from the King, and therefore they could not obey his Commands.' On which they were ordered, by the House, to be sent for as Delinquents; and that, if they refused to come, the Earl was desired to cause them to be apprehended, and to place Persons of Trust in their Room. Also, a Declaration of Thanks was ordered to be sent to the Earl of *Warwick*, and to desire him to communicate the same to his Captains, and they to the Mariners under them. At the End of this Declaration of Thanks the Parliament absolutely promised, 'To defend and protect them, by their Power and Authority; notwithstanding the King's declaring it to be Treason, by his Letter to the Earl of *Warwick*; which, they said, was altogether against Law.'

Persons punished for aspersing the Parliament. Many were the People that were, at this Time, summoned as Delinquents by each House of Parliament, for the least disrespectful Word against any particular Member, or the Proceedings of Parliament, and punished by Fine and Imprisonment. Two were tried this Day at the Lords Bar; one of them, Mr. *Windebank*, for saying, 'That Mr. *Pymme* had taken a Bribe of 30 *l.* sitting in the Chair in *Easter* Term: That he had as many Sugar-Loaves given for Bribes, as he had sold for 6 or 700 *l.* That before he was a Parliament-Man he was worth little; but he had now cozen'd the King of as much Money as he had bought a good Estate, and given 10,000 *l.* of the King's Money to the Marriage of his Daughter.

July 5. At a Conference, this Day, a Letter was produced and read by the Commons: It came from Sir

Sir *John Hotham*, and others of the Parliament's Committee at *Hull*, signifying, 'That a Ship, call'd *Providence*, came from *Holland*, laden with Ammunition, Great Guns, &c. into the *Humber*; and, to avoid being taken, had run herself on Ground near a Village call'd *Paul:* That he had done his best to take her by Land, but was prevented by the Train'd Bands of *Holderness*, and a Report of the King's coming from *York*, in Person, to protect her.' [d] An. 18. Car. I. 1642. July.

Both Houses agreed in publishing an Order, 'That whereas several Proclamations, Declarations, and Papers in Forms of Proclamations, had issued out in his Majesty's Name, commanding all Parsons, Vicars, Curates, Sheriffs, Mayors, Bailiffs, and other Officers, to publish and proclaim the same, contrary to Law and to divers Orders, Ordinances, and Declarations of Parliament, much to the Scandal and Derogation of it, &c. This was to inhibit all such Parsons, and other Officers, from doing the same; and those that refused in that Manner, were to be protected by the Power and Authority of both Houses of Parliament.' Orders against publishing the King's Declarations, &c.

Consonant to this Order, and to make one great Example for the rest, the same Day the Commons sent up Serjeant *Wylde*, with an Impeachment against Sir *Richard Gurney*, Knt. and Bart. Lord Mayor of the City of *London*, importing, 'That the said Sir *Richard*, on or about the last Day of *June*, 1642, being then Lord Mayor of *London*, in several Places of the said City, unlawfully and maliciously, caused a Proclamation to be made for the putting in Execution the Commission of Array, tending to the raising of Forces against the Parliament, and to the Subversion of the Laws and Peace of this Kingdom: For the which the House of Commons did impeach the said Sir *Richard Gurney*, in their Names, and of all the Commons of *England*, of high Crimes and Misdemeanors; and they desired The Lord Mayor impeached for proclaiming them.

[d] Lord *Clarendon* gives a very particular Account of this Ship's being closely chased by three Men of War; and informs us, That there were on board of her about 200 Barrels of Powder, and 2 or 3000 Arms, with seven or eight Field-Pieces. *Vol.* II. *p.* 673.

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desired that he might be called to a speedy Answer, in the Presence of the Commons.'

The Lord Mayor, being at the Bar, was asked for his Answer, who confessed, 'That he caused the said Proclamation to be published.' And being again asked, Whether he would justify and stand by his Answer, or not? He said, 'That he desired Counsel to advise him in that, and some Time to answer.' Hereupon Counsel was allowed him; and that he should put in his Answer, personally, on the 8th Instant.

A Letter from the Earl of *Warwick* to Mr. *Pymme* was read, with an Account of his reducing the five refractory Captains to Obedience; which, though printed in *Rushworth*, yet, as it evidently shews the Temper and Disposition of the Fleet at this Time, we shall give in its own Words:

The Earl of *Warwick*'s Letter concerning the Fleet.

Mr. *Pymme*,

BEfore these shall come to your Hand, I make no Doubt but Mr. Nicholls, *of the House of Commons, hath made both Houses a Relation of what hath passed here, since I received his Majesty's Letters for the Discharging me of the Command of the Fleet wherewith I was intrusted: How I called a Council of War, and acquainted them with his Majesty's Letters, and likewise with the Ordinance of Parliament, sent from the Houses for me to continue my Charge.*

I confess it was a great Strait that I was in, between two Commands that had so much Power over me: But when I consider the great Care which I have ever observed in the Parliaments of this Kingdom, for the Good and Safety of the King and Kingdom, and every Man's Particular in them; and that they are that Great Council, by whose Authority the Kings of England *have ever spoken to their Subjects; and likewise that the Trust of this Fleet, for the Defence of his Majesty and the Kingdoms, was committed to me by them; and knowing the Integrity of my own Heart to his Majesty and Parliament, I resolved not to desert that Charge committed to my Trust, wherein God (blessed*

(bleſſed be his Name for it) hath made me hitherto ſo ſucceſsful; but to continue untill I ſhall be revoked by that Authority that hath entruſted me with it; which having declared to my Captains at the Council of War, all of them unanimouſly and chearfully took the ſame Reſolution excepting the Rear-Admiral Sir John Mennes, *Capt.* Fogge, *Capt.* Burley, *Capt.* Slingſby, *and Capt.* Wake; *all which five refuſed to come upon my Summons, as having no Authority over them; and got together, round, that Night, to make their Defence againſt me; only Capt.* Burley *came in and ſubmitted to me: Hereupon, in the Morning, I weighed my Anchors, and cauſed the reſt of the Ships ſo to do, and came to an Anchor round about them, and beſieged them; and, when I had made all Things ready, I ſummoned them: Sir* John Mennes *and Capt.* Fogge *came in to me, but Capt.* Slingſby *and Capt.* Wake *ſtood out; whereupon I let fly a Gun over them, and ſent them Word I had turned up the Glaſs upon them; if in that Space they came not in, they muſt look for me aboard them. I ſent to them by my Boat, and moſt of the Boats in the Fleet; their Anſwer was ſo peremptory, that my Maſters and Sailors grew ſo impatient at them, that (altho' they had no Arms in their Boats at all, yet God gave them ſuch Courage and Reſolution, as, in a Moment) they entered them, took hold of their Shrouds, and ſeized upon thoſe Captains, although armed with their Piſtols and Swords; ſtruck their Yards and Topmaſts, and brought them both to me. The like Courage and Reſolution was never ſeen amongſt unarm'd Men, ſo as all was ended without Effuſion of Blood; which I muſt attribute to the great God of Heaven and Earth only; who, in the Moment that I was ready to give Fire on them, put ſuch Courage into our Men to act, and ſo ſaved much Blood.*

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I hope the Parliament will think of ſome Courſe for all our Indemnities, and eſpecially the Officers of the Navy, and principally for the Surveyor of the Navy, my Vice-Admiral, a very able and good Man: For myſelf, I doubt not but they that put me in this Employment will preſerve me for ſerving them faithfully.

I

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I pray you, Sir, be a Means to Sir Robert Pye *and Mr.* Green, *that ſome Money may be ſent us, (for it hath been often promiſed, but we hear not of it) the Weather continuing ſtormy ſo long together, that we ſpend our Maſts and Topmaſts, or ſome Detriment or other falls upon us daily; ſo that we are in great Extremity for Want of Money.*

Thus, having nothing elſe to trouble you for the preſent, only that you will be pleaſed to acquaint your Houſe of Commons with our Proceedings here, I bid you farewel; and reſt

Your aſſured Friend,

From on board his Majeſty's Ship the *James*, in the *Downs*, *July* 4, 1642.

to ſerve you,

WARWICK.

A Letter of Thanks was ordered to the Earl, and the Officers and Seamen of his Fleet.

Advice of the King's intending to beſiege *Hull*.

July 6. Mr. *Marten* reported, from the Committee appointed to conſider of the Defence of the Kingdom, That Col. *Wilmot*, Sir *Hugh Pollard*, and Sir *John Berkeley*, were landed with fourteen Pieces of Braſs Ordnance, and were making Fortifications near *Hull*: That the Lord *Willoughby*[e] and Sir *Thomas Gleenham* were come with 200 Horſe upon the *Humber-Side*, in *Lincolnſhire*: That the King came to *Beverley* on the 4th Inſtant, in the Morning, intending to ſit down before *Hull* the next Day: That his Majeſty had, by Proclamation, forbid any Proviſions to be ſent into that Town, on Pain of Death; and had cut off the freſh Water River that comes to *Hull*, and diverted the Stream another Way: But that (God be thank'd) Sir *John Hotham* had drown'd the Country two Miles round the Town, ſo that no near Approach could be made.

It

[e] Meaning Lord *Willoughby* of *Ereſby*, eldeſt Son of the Earl of *Lindſey*, who was one of the Peers then with the King: The Lord *Willoughby* of *Parham* being, at that Time, the Parliament's Lord Lieutenant of *Lincolnſhire*.

It would be endleſs to take Notice of all the Orders of both Houſes relating to their Raiſing, Training, and Forming their Militia, in different Counties, with the ſeveral Inſtructions given to the Lord-Lieutenants, *&c.* about them; ſince both Houſes conſtantly ſat, Morning and Afternoon, for that Purpoſe: However there was no regular Army form'd, nor any Orders given for drawing together any Number of Men for that Purpoſe, till this Day, when it was

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'Reſolved, by both Houſes, That 10,000 Foot be raiſed, 5000 out of the Liberty of *London*, and 5000 out of the Counties adjacent: To form them into Regiments and Companies, and place Officers over them: To keep the Officers in continual Pay, and pay the common Soldiers every Day that they were trained.' Drums were likewiſe ordered to beat up for Soldiers, in and about the City, with all Expedition.'

10,000 Foot voted to be raiſed.

The Earls of *Leiceſter* and *Portland* and the Lord *Spencer* only, diſſented to this Vote.

'Reſolved, That all ſuch Horſes as are brought in, by the Lords and Commons and others, on the Propoſitions, ſhall be muſtered in *Tothil-Fields*, on *Saturday* next: And that 500 Men ſhall be ſent from hence, by Sea, to *Hull*.' The ſame Lords diſſenting to this Vote.

This laſt Order was made at the Requeſt of Sir *John Hotham*; who, in his Letter before-mentioned, ſaid, *That he apprehended the great Ordnance, which was landed from the Ship* Providence, *was deſigned for the Siege of* Hull; and therefore deſired ſuch a Supply to maintain it. Some Ships of War were alſo ordered down to the *Humber*; and, in the Afternoon of this Day, 1500 Men more were voted for the Service of *Hull*, to be ſent by Sea, as ſoon as ever they could be got ready. The ſame three Lords ſtill diſſenting to this Vote.

Some Ships of War, and 2000 Men to be ſent to *Hull*.

But, at the ſame Time, it was alſo ordered, 'That a Committee of Lords ſhould be appointed to draw up ſome Propoſitions, to be preſented to the King,

And a Committee appointed to draw up Propoſitions for Peace.

An. 18. Car. I. 1642. July. King, concerning the laying aſide of all Arms and Levies, and diſcharging of all Garriſons on both Sides; and for compoſing all Differences between King and Parliament.' The Lords appointed for this Committee were

Earl of *Leiceſter*,	Lord *Grey de Werk*,
Earl of *Bedford*,	Lord *Hunſden*,
Lord *Wharton*,	Lord *North*,
Lord *Spencer*,	Lord *Fielding*.
Lord *Roberts*,	

July 7. Notwithſtanding this Shew of Peace, neither Houſe loſt any Time in preparing for War, this Day's *Journal* being full of their Orders for it.

The Lord *Cranbourne*, Member for *Hertford*, was appointed Lord-Lieutenant of *Hertfordſhire* and *Dorſetſhire* inſtead of his Father, who had left the Parliament, and was with the King at *York*.

A Declaration of the County of *Hereford* voted to be a ſcandalous Libel.

July 8. Complaint was made to the Houſe of Commons of a printed Pamphlet, intitled, *A Declaration or Reſolution of the County of* Hereford; which is ſtyled, in the *Journals*, one of the foulеſt and moſt ſcandalous Libels that ever was raiſed or publiſhed againſt the Parliament. The Houſe of Lords had this under their Conſideration at the ſame Time, and, at a Conference held between both Houſes on this Occaſion, concurred in the ſame Opinion of it: Whereupon one Mr. *Dutton*, a Clergyman, for only commending it in a Stationer's Shop, was committed to the *Gatehouſe*; two Perſons concerned in diſtributing it, to *Newgate*; and the Printer ordered to be ſent for as a Delinquent. Both Houſes alſo concurred in deſiring the Knights of the Shire for *Hereford* to ſend down to know who in that County would avow the ſame: And, if any do, that they ſhould be proſecuted to the utmoſt, for ſetting forth ſuch an infamous Libel.

After ſo great a Buſtle about this *Herefordſhire* Declaration, the Reader, no doubt, would be glad to ſee a Copy of it; which is the more valuable, in

In regard no Notice is taken of this Affair by any of the contemporary Writers. [f] An. 18 Car. I. 1642. July.

A DECLARATION, *or* RESOLUTION, *of the County of* Hereford.

'WHereas the Kingdom, for many Years 'paſt, hath groaned under Taxes of 'Loans, Ship-Money, and the like diſmal Effects 'of an arbitrary Government, and a high-ſtretch'd 'Prerogative; for the Cure of which Diſtempers a 'Parliament was held to be the only good old Way 'of Phyſic, to cleanſe the Body Politic from oppreſ-'ſing Crudities, which was heartily deſir'd; but not, 'by over ſtrong Purgations, to weaken it in the 'principal Part; changing it, to receive a Diſpoſition 'to the like Diſtemper, or a Relapſe into the ſame 'or a worſe Diſeaſe; which, inſtead of reſtoring it 'to its primitive Vigour and Health, muſt needs 'drive it to a fatal Period: Such is our Miſery, ſuch 'the juſt Judgment of God upon our Sins.

'This wholeſome Phyſic hath not wrought in us 'that bleſſed Effect, as was either believed by ſome, 'or hoped for by all Men; but, as if God had 'anſwered our Importunity for a Parliament, as 'he did the old *Iſraelites* for a King, in his Anger, 'we drive on, with much more Haſte than good 'Speed, to the other Extreme, which portends 'no leſs Symptoms of Ruin and Deſtruction than 'the former: So that, having maturely conſidered 'what hath proved deſtructive to this or other 'Parliaments, we may the more eaſily avoid thoſe 'Rocks upon which others have ſplit themſelves, '*viz.*

1. 'The Venting of particular Ends of Avarice 'and Ambition in the public Cauſe.

2. 'Private Combinations and Chamber-Con-'venticles, to reſolve before-hand what ſhall be 'done in the Houſe.

3. 'Hindering the Freedom of Speech, by Im-'priſonment of their Perſons.

 4. 'De-

[f] From the Collections of the late *Thomas Sclater Bacon*, Eſq; Member of Parliament for *Cambridge*.

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4. 'Denying Information by the humble Way 'of Petitions from the County, as that moſt excel- 'lent orthodox Petition of our Brethren of *Kent*; 'and of rejecting Informations of Letters to our 'Knights and Burgeſſes.

5. 'The ready Swallowing of Informations and 'jealous Rumours againſt his Majeſty; the Styling 'them the Malignant Party and Enemies to the 'State, which were, truly and conſcionably, his 'only Friends.

6. 'The private, if not public, mutinous Rab- 'ble; which ill Spirit was ready, at all Times, to be 'raiſed by a Whiſper from any of thoſe worthy 'Members, emphatically ſo called, if not excluſive- 'ly; as if all Juſtice, Reformation, and Govern- 'ment, were only to be expected from them.

7. The new unheard-of State-Law and Logic, 'to ſtyle and believe That a Parliament which is 'divided in itſelf, and ſevered from the King the 'Head thereof.

'If they may be remedied, as we hope they are not 'paſt Cure, we ſhall rather deſire to change ſome of 'our Phyſicians than Phyſic; there being no better 'Way, nor more neceſſary, to preſerve the Health 'of the Commonwealth, than a well-tempered 'Parliament: Wherefore we, as faithful Subjects 'to his Majeſty, and as free-born *Engliſhmen*, do 'join in an unanimous Reſolution to maintain,

1. '*The Proteſtant Religion.*
2. '*The King's juſt Power.*
3. '*The Laws of the Land.*
4. '*The Liberty of the Subject.*

'For the *firſt*, *The Proteſtant Religion*; we can- 'not but, with Grief of Heart, remember how it 'hath been aſſaulted in the Outworks and Skirts of 'it, the Liturgy and decent Ceremonies, eſtabliſhed 'by Law; yea, in the very Body of it, the thirty- 'nine Articles. In what a Danger this Church of '*England* hath been to be overcome with Browniſm 'and Anabaptiſm, let all the World judge.

'For the *ſecond*, *The juſt Power of the King*; 'God knows he hath been ſo far unable to defend

that

'that from Violence, as it was God's great Good- An. 18. Car. I.
'neſs, rather than his own Power, which ſecured, 1642.
'or rather preſerved, his Perſon from Violence. July.
'What their Aim was, who, to pleaſe the vulgar
'Rabble, would uphold and not puniſh them for
'their Inſolencies, as we fear and imagine for the
'preſent; ſo we cannot but, with Horror and
'Amazement, doubt the Conſequence.

'Nor can we conceal our Joy of Heart, or Thanks
'to his Majeſty's good Subjects of the County of
'*York*, for endeavouring to ſecure his Perſon with
'a Guard; being of much more Value than many
'Thouſand of us, and putting him in a Poſture of
'Defence; which ſome have ignorantly, or mali-
'ciouſly, interpreted, by ſuggeſting it an Inten-
'tion of War againſt his Parliament; whereas it is
'plain enough his Majeſty's Deſires are only to ſe-
'cure himſelf and Servants from ſuch prodigious
'Tumults and Diſorders as have endangered his ſa-
'cred Perſon; nor can we blame him, conſidering
'Sir *John Hotham*'s Act at *Hull*, and Sir *Henry*
'*Ludlow*'s Speech in Parliament. [g]

'For the two laſt, *The Laws of the Land*, and
'*The Liberty of the Subject*, which muſt not be ſe-
'parated; how have they been violated by ſome of
'thoſe who were choſen to be Conſervators of
'them, by Impriſonment of Men's Perſons, con-
'trary to the Petition of Right; afflicting of the
'Clergy, contrary to *Magna Charta*; ſhuffling the
'Convocation into a Synod, or an Aſſembly or a
'Conventicle, without the Choice, Conſent, or
'Election of the Clergy; as if they were neither the
'King's Subjects, nor God's Servants?

'As we conceive ourſelves obliged by the Law of
'God, the Law of the Land, by the Dictates of
'Nature and Reaſon, to maintain all theſe; ſo, by
'God's Grace aſſiſting us, we hope we ſhall not be
'terrified or compelled to yield an active Obedi-
'ence to any diſ-joined Part of a Parliament, with-

[g] See this Affair of Sir *Henry Ludlow*'s in our Tenth Volume.

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'out the Consent of the Whole, which we heartily 'desire may be united; or to any uncertain Debates, 'Votes, or Ordinances, that are not digested or 'settled into Laws; nay, which seem to contradict 'former Laws, and yet are tendered to us with so 'much Earnestness, as some dare hardly deny them 'with Safety, or obey with Conscience.

'Nor shall we ever yield ourselves such Slaves, 'or so betray the Liberty purchased by our Forefa-'thers Blood, and bequeathed unto us, as to suffer 'ourselves to be swayed by any Arbitrary Govern-'ment whatsoever; or strive, with too much Con-'tention of Spirit, to cast off the Yoak of one Ty-'ranny to endure many worse.

'And seeing his Majesty is graciously pleased to 'maintain the true *Protestant Religion*; his own '*just Power*; the *Laws of the Land*; the *Liberty* '*of the Subject*; and that these Waters of Reforma-'tion having been long stirred, we want only the 'Favour of his princely Majesty to let us in and 'heal us: So we do reciprocally declare, That we 'conceive ourselves bound to maintain him, in all 'the Premises, with our Lives and Fortunes.

The same Day the House of Commons, at a Conference, delivered to the Lords an Impeachment against *Henry Hastings*, Esq; second Son to the Earl of *Huntingdon*, Sir *Richard Halford*, Bart. Sir *John Bale*, Knt. and *John Pate*, Esq; for High Crimes and Misdemeanors; in which Impeachment the Commons desired the Lords to use all Expedition. A Copy of which Articles were as follows:

Articles of Impeachment against Mr. *Hastings* and others, for executing the King's Commission of Array.

'WHereas, by Order and Command of the 'Lords and Commons in Parliament, for 'the Safety and Defence of the County of *Leicester*, 'the Magazine of the said County was delivered 'into the Hands of *Henry* Earl of *Stamford*; who, 'in *June*, 1642, removed a great Part thereof to 'his Dwelling-House called *Broadgate*, in the said 'County, for the more Safety and Security there-'of:

'And

'And whereas, in the said Month of *June*, several Warrants issued out, by Order of both 'Houses of Parliament; the one directed to the 'Gentleman-Usher of the House of Peers, his Deputy or Deputies, the other, to the Serjeant at 'Arms attending on this House, his Deputy or 'Deputies, for the apprehending of the said *Henry Hastings*, Sir *Richard Halford*, Sir *John Bale*, 'and *John Pate*, for High Crimes and Misdemeanors by them committed against the said Houses 'of Parliament, to answer the same before the said 'Houses: An. 18. Ca 1642. July.

'He the said *Henry Hastings*, Sir *Richard Hal-* 'ford, Sir *John Bale*, and *John Pate*, well know- 'ing the Premises; and the said Sir *Richard Hal-* 'ford, Sir *John Bale*, and *John Pate*, being then, 'and yet, Justices of the Peace of the said County, 'in or about the twenty-second Day of the said 'Month of *June*, wickedly and maliciously, with- 'out Warrant of Law, did raise and draw out of the 'several Counties of *Derby*, *Lincoln*, and *Leicester*, 'Forces of Horse and Foot to the Number of 300 'Persons, or thereabouts, some of them being Col- 'liers, and other mean and desperate Persons, and 'many of them Papists, and them unlawfully as- 'sembled at *Loughborough*, in the said County of *Lei-* 'cester; where the said *Henry Hastings*, the Day 'aforesaid, made Proclamation, *That if any Per-* 'sons, *affected to that Service*, *wanted Arms*, *and* 'would repair to the Town, they should be furnished 'therewith. And they the said *Henry Hastings*, 'Sir *Richard Halford*, Sir *John Bale*, and *John* 'Pate, together with the said other Persons so as- 'sembled, being armed with Swords and Pikes; 'and with Pistols, Muskets, and Carbines, ready 'charged with Powder and Bullets, and other Ha- 'biliments of War, marched along in a warlike 'Manner; with Drums beating, Colours flying, 'and their Matches lighted, to the great Terror 'and Affrightment of his Majesty's Subjects, divers 'Miles within the said County of *Leicester*, to the 'Town of *Leicester*, and so thro' the said Town,

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'with great Noise and Shouting, to a certain Place 'near the said Town called *Horse-Fair Lease*; to 'the Intent to keep themselves from being arrested 'by the said Officers of both Houses of Parliament; 'and in case they should be so arrested, then to 'rescue themselves by Force: And to the Intent 'likewise to take away the said Magazine by Force 'and Arms, and to kill and destroy the said Earl of '*Stamford*, he the said *Henry Hastings*, and some 'other of his said Accomplices, giving out, *That 'they would fetch away the said Magazine with a 'Vengeance; and that they would have the said Earl's 'Life before they left; and would fire his House and 'have his Heart's Blood out*, with divers other such-like desperate Speeches.

'And the said *Henry Hastings*, Sir *Richard Hal-'ford*, Sir *John Bale*, and *John Pate*, with the 'rest of their said Confederates, being so assembled 'at the said *Horse-Fair Lease*, *John Chambers* and '*James Stamford*, being authorized thereunto by a 'Deputation under the Hands of the Officers afore-'said, together with *Archdale Palmer*, Esq; then 'High Sheriff of the said County of *Leicester*, and 'divers other Persons in their Aid and Assistance, 'repaired to the said Place to execute the said War-'rants from both Houses of Parliament; and the 'said *Henry Hastings*, well knowing thereof, did 'then tell the said *Chambers*, *That he knew he had 'Warrants from the Parliament as well for others as 'for himself*; whereupon the said *Chambers* produ-'ced the said Warrants, and read them openly in 'the Hearing of the said *Henry Hastings*, Sir *Rich-'ard Halford*, Sir *John Bale*, and *John Pate*, to 'yield Obedience to the said Warrants; which they 'refused to do; but, instead thereof, they, and 'other their said Adherents, did violently assault the 'said High Sheriff, *Chambers* and *Stamford*, and rode 'upon them with their Horses; and one of the said 'Confederates, named Mr. *Walter Hastings*, with 'his Pistol charged, gave Fire upon the said *Cham-'bers*; and some others of them drew out their Pi-'stols, and presented their Muskets upon the said

'High-

'High-Sheriff and *Chambers*, using other Force and 'Violence upon them, to the great Danger of their 'Lives: And the said *Henry Hastings*, Sir *Richard* '*Halford*, Sir *John Bale*, and *John Pate*, by Force 'and Arms, and in a warlike Manner, at the Time 'and Place aforesaid, rescued themselves from the 'said Officers and High-Sheriff, in Contempt of Ju- 'stice, and to the high Affront and Scorn of the Par- 'liament; and afterwards marched back again, in like 'warlike Manner, into the said Town of *Leicester*; 'all which Doings of the said *Henry Hastings*, Sir '*Richard Halford*, Sir *John Bale*, and *John Pate*, 'were, and are, contrary to the Laws of this 'Realm, the Rights and Privileges of Parliament, 'tending to Sedition, and to the Danger and Effu- 'sion of much Blood:

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'Wherefore the said Commons do, in the Name 'of themselves and of all the Commons of *England*, 'impeach the said *Henry Hastings*, Sir *Richard Hal- 'ford*, Sir *John Bale*, and *John Pate*, of the said 'several High Crimes and Misdemeanors.

'And the said Commons, by Protestation, saving 'to themselves now, and at all Times hereafter, 'the Liberty of exhibiting of any other Accusation 'or Impeachment against the said *Henry Hastings*, 'Sir *Richard Halford*, Sir *John Bale*, and *John* '*Pate*, or any of them; and of replying to the An- 'swers which they, or any of them, shall make, 'or of offering any Proofs of the Premises, or any 'of them; or of any other Accusation or Impeach- 'ment against them, or any of them, as the Case, 'according to the Course of Justice, shall require; 'do pray that the said *Henry Hastings*, Sir *Richard* '*Halford*, Sir *John Bale*, and *John Pate*, and every 'of them, may be forthwith put to answer the Pre- 'mises in Presence of the Commons; and that such 'Proceedings, Examinations, Trials, and Judg- 'ments may be upon them, and every of them, had 'and used, as shall be agreeable to Law and Justice.'

Ordered, That the aforesaid Gentlemen should appear before the House, at a Time prefixed, to hear

An. 18. Car. I. 1642. July. hear the Impeachment read, and to put in their Answers to it.

This being the Day appointed for the Lord Mayor to make Answer to his Charge, he was called to the Bar, as a Delinquent, where he delivered in the following Answer:

The HUMBLE ANSWER *of Sir* RICHARD GURNEY, *Knt.* &c.

The Lord Mayor's Answer to his Impeachment.

'THIS Defendant, saving to himself all Benefit of Exceptions to the Impeachment against him exhibited by the Honourable House of Commons, saith, That he, this Defendant, is not guilty of all or any of the Crimes and Misdemeanors, in and by the said Impeachment against him charged, in such Manner and Form as the same are by the said Impeachment charged.

R. GURNEY.

Commissions granted for raising Horse for the King's Service.

The Lords appointed *Monday* the 11th to hear the Lord Mayor's Cause. They also received Intelligence, by a private Letter from *York*, That the King had granted out several Commissions; as, to the Earl of *Caernarvon*, to raise 500 Horse Volunteers; to the Lord Viscount *Grandison*, to raise 500 Horse; and to Sir *Philip Tyrwhit*, to raise 80 Horse.

July 9. A Letter from the Archbishop of *York* was read *in hæc Verba:*

My Most Noble Lord,

A Letter from Abp. *Williams.*

MY Duty, in all Humility and Lowliness, remembered unto your Lordships, I have received your Noble Lordships Orders of the twenty-second of June, *but this Day,* July *the third, being the Lord's Day; and it is impossible I should, literally, comply with the Matter required in the same. I came from* Huntingdonshire *to* York, *from which I was not debarred by any Order from the Honourable House, by his Majesty's Command; and, by the same Command, I am*

am ſtrictly required not to depart this County of York *without his Majeſty's ſpecial Leave, upon Pain of ſeizing of my Temporalities. Your Lordſhips Meſſenger can inform you he found me not at* York, *but here at my own Country Houſe, preaching to my People. I will wait upon his Majeſty, and humbly deſire his Favour that I may obey your Honourable Order in Act, as I already do* in Preparatione Animi. *In the mean Seaſon, I do moſt earneſtly intreat your Lordſhips Favour and Mercy towards me, if I treſpaſs a little in the preſcribed Time; and your Lordſhips ſhall never hear, from any true Relation, that, by any Miſcarriage of mine, I ſhall otherwiſe comport myſelf than as becometh*

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Your Lordſhip's moſt humble
and obedient Servant,
Orator, and Petitioner,
JO. EBORAC.

Cawood, July 3. 1642.

It does not appear that any Notice was taken of this Letter; ſo we conclude that the Archbiſhop's humble Requeſt was complied with. But it ſhews to what a low Ebb the Prelacy was then reduced, when ſo lofty a Man as *Williams*, who had been Lord-Keeper many Years, could write in ſo ſubmiſſive a Manner.

The Lords next proceeded in reading ſeveral Letters, *&c.* from their Agents in divers Counties, and from the Earl of *Warwick*, concerning the State of the Fleet. That Houſe alſo agreed to ſeveral Propoſitions, from the Commons, to be preſented to the Citizens in Common Council, for raiſing 10,000 Volunteers with all Speed, *&c.* and regulating the Proportion of Pay for Horſe and Foot in their Service. The firſt of theſe Propoſitions, for raiſing 10,000 Volunteers, was put to the Queſtion in the Commons, and carried affirmatively by a Majority of 125 againſt 45. Mr. *Holles* and Sir *John Evelyn* Tellers for the *Yeas*, Sir *John Strangwayes* and Mr. *Selden* for the *Noes*.

The Parliament reſolve to raiſe 10,000 Volunteers in *London*.

July

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July 11. At a Conference this Day, the Commons exhibited, to the Lords, a further Impeachment againſt the Lord Mayor; which, being afterwards read to him at the Bar, he deſired more Time might be given him to anſwer by Counſel. And being aſk'd, Why he refuſed, at the laſt Common Council, to put the Queſtion for ſtowing the Magazine that came from *Hull*, in the City; according to Order of both Houſes of Parliament, but proteſted againſt it? The Lord Mayor anſwered, He thought not fit to lay ſo much Powder in the City, being dangerous; there being much there already, and more they cannot find Room for. Afterwards he withdrew, and then it was reſolved, 'That the Lord Mayor of *London*, for his Contempt to this Houſe, ſhall be committed to the *Tower*; and that the Lieutenant there ſhall take Care to keep him in ſafe Cuſtody, as he will anſwer it at his Peril.' A further Day was ordered for his Trial, and the ſame Counſel to attend him in the *Tower* as before.

A further Impeachment againſt the Lord Mayor.

A Declaration of Parliament was this Day agreed on by both Houſes, to be ſent down into the North; which, as it contains the Parliamentary Hiſtory, in Oppoſition to the Regal, of theſe Times, cannot be omitted.

The Parliament's Narrative of the Proceedings of the King's evil Counſellors.

'IT cannot be unknown to the World, how powerful and active the wicked Counſellors about his Majeſty have been, both before and ſince this Parliament, in ſeeking to deſtroy and extinguiſh the true Proteſtant Religion, Liberty, and Laws of the Kingdom; and that, after many traiterous Endeavours againſt the Parliament, by God's Providence diſcovered and fruſtrated, they drew his Majeſty into the Northern Parts; and, in his Name, did publiſh divers falſe Scandals and ignominious Reproaches againſt the Lords and Commons; making his Majeſty's Court a Sanctuary for all Kind of Delinquents againſt the Juſtice and Privilege of Parliament; and drawing to

'*York*,

'*York*, by Letters and other Means, divers Mem- An. 18. Car. I.
'bers of both Houſes; and ſetting up there a coun- 1642.
'terfeit imaginary Viſage of a great Council of the July.
'Peers, in Oppoſition to the Parliament; to the
'great Danger, not only of the Diſturbance, but
'even of the Subverſion, of the original Conſtitu-
'tion and Frame of this Kingdom.

'And, that the Way to the great Change in Re-
'ligion and Government intended might be made
'more eaſy and paſſable, many of thoſe, who have
'ſhewed themſelves faithful to the Cauſe of God and
'the Kingdom, either in Parliament or in the Coun-
'try, are put out of the Commiſſion of Peace and other
'public Employments. The Sheriff of *Leiceſter*, (la-
'bouring to keep the Peace when Mr. *Henry Ha-*
'*ſtings* marched from *Loughborough* into *Leiceſter*,
'with about 200 Foot and 100 Horſe, of which ma-
'ny were drawn out of *Derbyſhire*, armed, in a war-
'like Manner, with Piſtols, Pikes, and Muſkets,
'their Drums beating and Colours flying, intend-
'ing to ſeize upon the Magazine of the County)
'was, for his good Service, put out of his Office;
'and Mr. *Haſtings*, the Perſon who committed
'this Outrage, made Sheriff in his Place; divers
'great Lords, his Majeſty's Servants, in Places of
'Nearneſs and Truſt, Perſons of high Honour,
'Merit, and Abilities, as the Earls of *Pembroke*, *Eſ-*
'*ſex*, and *Holland*, and the Lord *Fielding*, diſpla-
'ced for no other Cauſe but diſcharging their Con-
'ſcience in Parliament; beſides divers Members of
'the Houſe of Commons, one of which hath long
'ſerved his Majeſty in Places of Honour, and had
'always been in great Favour and Eſteem till he
'faithfully diſcharged his Duty in Parliament: And,
'laſt of all, the Earl of *Northumberland* put from
'the Place of High-Admiral; a Man ſo eminent in
'all Qualifications of Honour and Sufficiency, ſo
'neceſſary for the State at this Time, when ſo ma-
'ny Ships are at the Sea, and the Kingdom in ſo
'much Trouble and Diſtraction, that there can
'hardly be named a more miſchievous Effect of
'wicked Counſel, or dangerous Preparatives to fu-
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'ture Confuſions, than the bereaving the State 'of the Service of ſo noble and virtuous a Perſon 'as he is.

'The Conſideration whereof enforceth both 'Houſes to declare, That they cannot think the 'Kingdom in Safety, nor themſelves to have diſ-'charged the Truſt that lies upon them, till they 'have done their uttermoſt, by all fit Ways, to pro-'cure that Office to be reſtored; whereby the Com-'mand of the Ships, which are the Walls of the 'Kingdom, may again be ſettled in the Charge of 'that Noble Lord.

'In the Midſt of theſe unjuſt and deſtructive 'Courſes, to blind the Eyes of the Multitude, and 'diſguiſe their malicious and cruel Intentions under 'the Semblance of Peace and Juſtice, they have 'drawn his Majeſty to make divers ſolemn Proteſ-'tations, with fearful Imprecations upon himſelf, 'and Invocations of God's holy Name, *That he in-'tendeth nothing but the Welfare of his People; the 'Maintenance of Religion and the Laws of the King-'dom; and, for his own Security, only to raiſe a 'Guard for his Perſon: And that he did, from his 'Soul, abhor the Thought of making War againſt 'the Parliament, or to put the Kingdom into a Com-'buſtion:* But having, under this Colour, kept about 'him divers Officers and Soldiers, and gathered 'ſome Strength, the Intentions do now appear with 'a more open Face, by theſe his Majeſty's enſuing 'Actions and Proceedings; which the Lords and 'Commons have thought good to publiſh, that all 'the Subjects of the Kingdom may underſtand what 'Dangers and Miſeries are coming upon them, 'if not timely prevented.

'A Garriſon of Soldiers is, by his Majeſty's Or-'der, put into *Newcaſtle*, under the Command of 'the Earl of *Newcaſtle*; who ſhould have formerly 'ſeized upon *Hull*, if, by the Wiſdom of the Par-'liament, he had not been prevented.

'The Papiſts in *Cheſhire* have lately, in a very pe-'remptory Manner, and in his Majeſty's Name, 'demanded their Arms taken from them by Direc-

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'tion of both Houſes of Parliament, to be again 'reſtored to them. An. 18. Car. I. 1642. July.

'The Earl *Rivers*, lately a notorious profeſſed 'Papiſt, and ſtill ſuſpected to be a Papiſt, although 'he now comes to Church, as many other danger-'ous Papiſts do, on purpoſe, as is conceived, to 'make themſelves capable of Employment, is put 'into the Commiſſion of Array, being againſt Law 'and the Liberty of the Subject; which he hath 'executed with Rigour, and hath committed divers 'Perſons to Priſon for refuſing to ſubmit thereunto, 'contrary to Law and the Petition of Right.

'The Mouth of the River *Tyne* is fortified, 'whereby the whole Trade of *Newcaſtle* for Coal, 'or otherwiſe, will be ſubject to be interrupted 'whenſoever his Majeſty ſhall pleaſe; and the City 'of *London*, and many other Parts of the Kingdom, 'exceedingly burdened and diſtreſſed.

'A Ship laden with Cannon for Battery, and other 'leſſer Ordnance, Powder, and Ammunition, is 'come into the River *Humber*, which alſo hath 'brought divers Commanders from foreign Parts; 'and in this Ship, we are credibly informed, were 'Mr. *Henry Wilmot*, Sir *John Berkley*, and Sir *Hugh* 'Pollard, three of thoſe who ſtand charged in Par-'liament for being privy to the Deſign of bringing 'up the Army; and, amongſt others, the Lord *Dig-'by*, a Perſon accuſed in Parliament of High Trea-'ſon; who, when he began to be queſtioned, fled 'out of the Kingdom; and adviſed his Majeſty, by 'Letters, to that Courſe which he hath ſince pur-'ſued, of withdrawing himſelf from his Parlia-'ment to a Place of Strength: And that then he 'intended to come to him, and in the mean Time 'would do him Service abroad.

'Divers other large Preparations of Warlike Pro-'viſions are made beyond the Seas, and ſhortly ex-'pected; beſides great Numbers of Gentlemen, 'Horſes, and Arms, drawn from all Parts of the 'Kingdom; and all the Gentlemen in *Yorkſhire* 'required to bring in their Horſes for his Majeſty's 'Service; ſundry Commiſſions are granted for rai-

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'fing Horſes, and divers Officers of the Army are 'already appointed. Upon *Monday* Morning, the '4th of *July*, his Majeſty came to *Beverley* with an 'Army of a conſiderable Number of Horſe and 'Foot, ſome Regiments of the Train'd Bands be-'ing likewiſe commanded to be raiſed. Amongſt 'the Soldiers in this Army there are divers Papiſts, 'and other Perſons of deſperate Fortune and Con-'dition, ready to execute Violence, Rapine, and 'Oppreſſion.

'Some Troops of Horſe are ſent into *Lincolnſhire*, 'to the great Terror of the well-affected People; 'who are thereby forced either to forſake their 'Dwellings, or to keep them with armed Men: 'They begin already to take away Men's Horſes by 'Force, and commit other Acts of Hoſtility; and 'have uncivilly uſed the Gentlemen ſent from the 'Parliament with a Letter to his Majeſty. Pro-'viſions are reſtrained from coming to *Hull*, and 'his Majeſty is ſhortly expected to come thither 'with his Army; notwithſtanding the Place is in 'the Cuſtody of the Parliament, as hath been often 'declared to his Majeſty by both Houſes, and kept 'by them for his Service and the Peace of the King-'dom, whereof as ſoon as they are aſſured, they 'intend to leave the Town in the State it was.

'The War being thus begun by his Majeſty, the 'Lords and Commons in Parliament hold them-'ſelves bound in Conſcience to raiſe Forces for the 'Preſervation of the Peace of the Kingdom, and 'Protection of the Subjects in their Perſons and 'Eſtates according to Law, the Defence and Secu-'rity of Parliament, and of all thoſe who have been 'employed by them in any public Service for theſe 'Ends; and, through God's Bleſſing, to diſappoint 'the Deſigns and Expectations of thoſe who have 'drawn his Majeſty to theſe Courſes and Counſels, 'in Favour of the Papiſts at home, the Rebels in '*Ireland*, and the foreign Enemies of our Religion 'and Peace.

'In the Oppoſing of all which they deſire the 'Concurrence of the well-diſpoſed Subjects of this 'King-

'Kingdom; and shall manifest, by their Courses and Endeavours, that they are carried by no Respects but of the Public Good, which they will always prefer before their own Lives and Fortunes; and shall ever be most earnest, in their Counsels and Endeavours, to prevent a Civil War, and those miserable Effects it must needs produce, if they may be avoided, without endangering the Alteration of Religion; which is the main End of those who have been the Authors and Counsellors of his Majesty's undertaking this War, and will necessarily draw with it a Loss of Liberty, and Subversion of the Law of the Kingdom; so that it rests only that the free-born *English* Nation do consider whether they will adhere to the King and his Parliament, by which they have so long enjoyed all that is dear unto them; or to the King, seduced by Jesuitical Counsel and Cavaliers, who have designed all to Slavery and Confusion; which, by God's Blessing and our joint Endeavours, may be timely prevented.' An. 18. Car. I. 1642. July.

Another Declaration came out at the same Time, to assure the Owners and Inhabitants of Lands near *Hull*, that they should be fully satisfied by both Houses, for the Damages sustained by Sir *John Hotham*'s necessary letting in some Tides from the *Humber*, for securing that Town: And also Protection and full Recompence for all necessary Provisions, sent in by Land or Sea, for the Use thereof. Some more Orders about settling the Militia concluded the Business of this Day. Their Declaration concerning *Hull* and the Militia,

July 12. A third Declaration was this Day agreed to by both Houses, of an extraordinary Nature, in these Words:

'THE Lords and Commons declare, That it is against the Laws and Liberties of the Kingdom, that any of the Subjects thereof should be compelled by the King to attend him at his Pleasure, And against the King's compelling the Attendance of his Subjects.

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'ſure, but ſuch as are bound thereto by ſpecial Ser-
'vice: And if any Meſſenger or Officer ſhall, by
'Colour of any Command from his Majeſty, or
'Warrant under his Majeſty's Hand, arreſt, take,
'or carry away, any of his Majeſty's Subjects, to
'any Place whatſoever, contrary to their Wills,
'that it is both againſt the Laws of the Land, the
'Liberty of the Subject, and tends to the Diſturb-
'ance of the Public Peace of this Kingdom, and
'any Subjects, ſo arreſted, may lawfully refuſe to
'obey ſuch Arreſts and Commands.'

Some Ships of War ſent to *Hull*.

Orders were agreed to be ſent to the Earl of *Warwick* to carry down ſome of the Ships, under his Command, into the *Humber*, for the better Defence of the Town of *Hull*; the Parliament having Information that the King intended to beſiege that Place.

Order againſt the Univerſity of *Oxford*'s Loan to the King.

Another Order was alſo made, to prevent the Univerſity of *Oxford* from carrying their Plate, *&c.* away to maintain a War againſt the Parliament. This Order was occaſioned by the Heads of ſeveral Colleges having raiſed a very conſiderable Loan for the King, for which his Majeſty had ſent them a Letter of Thanks.

Mr. *Holles* brought up a Meſſage from the Commons, with ſome Votes; which, he ſaid, had paſſed their Houſe with much Joy; and in which they doubted not of the Lords Concurrence with the ſame Chearfulneſs. The Votes were theſe:

The Parliament reſolve to raiſe an Army, and alſo to petition the King for an Accommodation.

'Reſolved, That an Army ſhall be forthwith raiſed for the Safety of the King's Perſon, the Defence of both Houſes of Parliament, and of thoſe who have obeyed their Orders and Commands; and for the Preſervation of the true Religion, the Laws, Liberties, and Peace of the Kingdom.'

'Reſolved, That the Earl of *Eſſex* be named General thereof.'

'Reſolved, That a Petition ſhall be forthwith prepared, to move the King to a good Accord with the Parliament, and to prevent a Civil War.'

'Re-

'Resolved, That this House doth declare, That in this Cause, for the Safety of the King's Person, and the Defence of both Houses of Parliament, and of those who have obeyed their Orders and Commands, *&c.* they will live and die with the Earl of *Essex*, whom they have nominated General in this Cause.' An. 18. Car. I. 1642. July.

Next, a Draught of the Petition to the King, for Peace, was read; in which the Lords agreed with the House of Commons, as also in all the foregoing Votes: And the Earl of *Holland*, Sir *John Holland*, and Sir *Philip Stapylton*, were appointed to carry the Petition to his Majesty at *York*.

Then the Speaker of the House of Lords acquainted the Earl of *Essex*, That that House had agreed in the Desires of the Commons, and had approved of his Lordship to be General. Hereupon the Earl gave their Lordships Thanks; professing his Integrity and Loyalty to the King to be as much as any; and that he would live and die with their Lordships in this Cause.

Lord *Clarendon* observes upon these Votes, 'That the Motion for a Petition to the King for an Accommodation was purposely then consented to, that the People might believe the Talk of an Army and a General was only to draw the King to the more reasonable Concessions: And that it was certain the first was consented to by many, especially of the House of Peers, in Hopes the better to compass the other, with the perfect Horror of the Thought of a War. [h]

This Mr. *Holles* himself, the Messenger appointed by the Commons to carry up these Votes to the Lords, as before-mentioned, confirms in his *Memoirs* [i], wherein he says, 'The Members of Parliament, who, at this Time, appealed to the Sword to plead their Cause and decide their Quarrel, declared themselves to desire nothing but the Settle-

[h] *History of the Rebellion.* Vol. II. p. 683.

[i] The *Memoirs* of *Denzil* Lord *Holles*, Baron of *Ifield*, in *Sussex*, (so created *An.* 13. *Car.* II.) from the Year 1641 to 1648. Printed in 1699, *Octavo.*

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ment of the Kingdom, in the Honour and Greatneſs of the King, and in the Happineſs and Safety of the People: And, whenſoever that could be obtained, to lay down the Sword, and ſubmit again to the King's Sceptre of Peace more willingly than ever they reſiſted his Force and Power. This, ſays he, I am ſure, was the ultimate End of many, I may ſay of the chiefeſt, of thoſe who at that Time appeared; on which Principle they firſt moved, and from which they never departed: But, whilſt theſe Men acted in the Simplicity of their Hearts, there was another Generation of Men, which, like the frozen Snake that lay in their Boſoms, ſeemed to deſire but the ſame Things with them, and that the ſame ſhould have contented them, when it was nothing ſo; but they had further Deſigns, to deſtroy and cut off not a few, to make the Land an *Aceldama*, ruin the King and as many of the Nobility and Gentry as they could, alter the Government, have no Order in the Church, nor Power in the State over them.'—Thus far Mr. *Holles*.

July 13. A Letter from the King, directed to the Speaker of the Houſe of Lords, was read, importing a Command to communicate the incloſed Meſſage to both Houſes.

His MAJESTY'S MESSAGE *to both Houſes of Parliament.*

The King's Meſſage concerning his going to *Hull*,

'BY our former Declarations, and this our Proclamation, which we herewith ſend you, you, and all our good Subjects, may ſee the juſt Grounds of our preſent Journey towards our Town of *Hull*. Before we ſhall uſe Force to reduce that Place to its due Obedience, we have thought fit, once more, to require you, that it may be forthwith delivered up to us, the Buſineſs being of that Nature that it can admit of no Delay; wherein if you ſhall conform yourſelves, we ſhall then be willing to admit ſuch Addreſſes from you, and return ſuch Propoſitions to you, as may be proper to ſettle the Peace of this King-

dom,

'dom, and compose the present Distractions. Do your Duty herein, and be assured from us, on the Word of a King, that nothing shall be wanting on our Part, that may prevent the Calamities which threaten this Nation, and may render our People truly happy. If this our gracious Invitation shall be declined, God and all good Men judge betwixt us. We shall expect to receive Satisfaction herein by your Answer, to be presented to us at *Beverley* upon *Friday* next, being the 15th Day of this present *July*.

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By the KING,

A PROCLAMATION *declaring our Purpose to go, in our Royal Person, to* HULL; *and the true Occasion and End thereof.* [k]

And his Proclamation, setting forth the Reasons thereof.

'WE having long complained of the high Affront done unto us, in our own Person, by Sir *John Hotham*, when we went to our Town of *Hull* to view our Magazines and Arms, our own proper Goods (if we shall be allowed to call any Thing our own) which then were there; and since, by and under Colour of Orders made by both our Houses of Parliament, not only without, but against, our Consent, violently taken and carried from thence; and for that the Town itself, being the principal Fort and Port of these Northern Parts of this Kingdom, in a warlike Manner, with many hundreds of Soldiers, hath been kept and maintained against us as a Garrison and Town of War, as against an Enemy; and that by the Practice of a Malignant Party, which hath too great an Influence upon our two Houses of Parliament, instead of repairing our Honour for this Indignity, several Orders and Votes of the Major Part, then present, have been made to justify all this as Legal; which Orders and Votes would have us, and others, to believe, upon the many Protestations in Print, *That there hath been nothing done therein*, (as in many other Things

[k] This Proclamation is not entered at all in the *Journals*; and only the Preamble to the King's Message.

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'of that Nature) *but for the Safety of our Perſon, the Honour of our Crown, and the Good of the Kingdom*; as if Words, directly contrary to theſe Actions of Hoſtility, could ſatisfy us, or any reaſonable Man, not blinded with Self-opinion, or abuſed and miſled by vain and falſe Surmiſes, or groundleſs Jealouſies: We have now looked ſomewhat more narrowly into the Manner of Sir *John Hotham*'s Carriage in this his Employment, and did find, by the certain Relation of others, That for the fortifying of the Place againſt us, his Liege Lord, he hath uſed the Help of Art in making Outworks to defend the Town; he hath purpoſely cut the Banks, and let in the Waters to drown the Land Paſſages, and to make the Town inacceſſible by that Way; he hath ſet forth a Pinnace (amongſt other good Services) to intercept a Pinnace of ours employed for carrying of Letters, Meſſages, and Paſſengers between us and our dearеſt Conſort the Queen; he permitteth his Soldiers to iſſue out of the Town and forage upon the Country; he hath not only unlawfully, but tyrannically, caſt out divers Inhabitants of the Town from their Dwellings, becauſe he could not confide in them; he hath diſarmed all the Townſmen, that he might put the ſole Power in the Soldiery under his Command; he doth compel ſome others of the Inhabitants, deſirous to depart the Town with their Families, to abide and continue there againſt their Wills; and, by drowning of the Lands about the Town, in Manner as aforeſaid, he hath deſtroyed the Paſtures, Meadows, and Corn-Lands within that Compaſs, containing ſome thouſands of Acres of very fruitful Grounds, amounting to a great Value, to the great Impoveriſhing of the Owners and Occupiers thereof; he hath, for divers Months, continued in Pay many hundreds of Soldiers; and endeavoured, under Pretence of Authority from the two Houſes of Parliament, to increaſe their Number from the County of *Lincoln* adjoining, and from other Places; and this at the Public Charge of the Kingdom, and out of

'thoſe

'those Monies provided for the Relief of the Miſe- An. 18. Car. I.
'ries of *Ireland*, and Payment of the great Debt to 1642.
'our Kingdom of *Scotland*. July.

'Whereupon we being very ſenſible of this ex-
'treme Diſhonour to us, that a Town of ſuch
'Importance, and ſo near to the Place of our pre-
'ſent Reſidence, ſhould be thus fortified, kept, and
'maintained againſt us; that the Port and Paſſage
'by Sea ſhould be defended againſt us by our own
'Ships, under the Conduct of the Earl of *Warwick*,
'who being legally diſcharged by us of his Employ-
'ment at Sea, by our Revocation of the Commiſ-
'ſion formerly granted by us to the Earl of *Nor-*
'*thumberland*, and by our Command ſignified unto
'him, under our own Hand, to deliver the Com-
'mand of our Ships into the Hands of another Per-
'ſon named by us, hath, notwithſtanding our ſaid
'Commands, (to which the Earl of *Northumber-*
'*land* paid a dutiful Obedience) preſumed not only
'to diſpoſſeſs us of our ſaid Navy, but to employ it
'againſt us; and to take Priſoners ſuch of our Cap-
'tains as expreſſed a Loyalty to us, according to
'their Oaths and the Duty of Subjects; and that a
'Ship of ours, lately employed for our particular
'Service into *Holland*, and returning from thence
'with ſome of our proper Goods, hath been chaſed
'by them as an Enemy; and enforced, for her
'Safety, to put into a ſmall Creek within ſix Miles
'of that Town, and there to run on Ground, to
'the great Hazard of our ſaid Veſſel; and that both
'our Ship and Goods were yet remaining there, in
'Danger to be ſurpriſed by our own Subjects: We
'took a Journey, on *Wedneſday* the 6th of this
'Month, from *York* towards the ſaid Creek, to take
'a View of our ſaid Ship and Goods, thus expoſed
'to Danger; having juſt Cauſe to fear that Sir *John*
'*Hotham*, and others of his Confederacy, would,
'(for our Good, and the Good of the Kingdom)
'make Prize of theſe alſo; and, by the Opportu-
'nity of that Journey, we ourſelf are now fully in-
'formed of the Certainty of thoſe Things, which
'we had before received but from the Relation of

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'others; and there received a lamentable Petition 'of our Subjects of those Parts, complaining of the 'unheard-of Insolence and Barbarity of Sir *John* '*Hotham*, and desiring our just and necessary Pro- 'tection of them from those cruel Oppressions.

'Upon all which Considerations, that we may at 'length, after this long Patience, do that Right to 'our Honour, our Crown and Royal Dignity, and 'to our good Subjects in general, and those of and 'near to our Town of *Hull* in particular, (which 'we had Reason to have expected from our two 'Houses of Parliament, but have failed of the Fruit 'of our long Expectation, by the Malice of some 'ill-affected Spirits amongst them, who study no- 'thing more than, by false Pretences, to amuse and 'abuse our good People) we have taken this Re- 'solution, by God's Blessing, and the Assistance of 'our good Subjects, to force Sir *John Hotham*, and 'all that shall take Part with him in the unjust and 'treasonable Defence of the Town of *Hull* against 'us, to that Obedience which is due by Subjects 'to their Liege Lord and Sovereign; and to resist 'the Assistance, intended to Sir *John Hotham*, 'from our said County of *Lincoln* and other Places 'adjoining, if they shall attempt it: And, to 'this Purpose, we will and require all our loving 'Subjects to yield their best Assistance, of what 'Kind soever, to so necessary a Defence of our 'Person, and just Vindication of so great an In- 'jury offered unto us, to the Dishonour of this 'Nation. And we do declare, That whosoever 'shall give us their chearful Help at this Time, 'and to this Purpose, either with Men, Horse, 'Arms, or Money, to be brought, sent, or con- 'veyed unto us, we shall look upon it as a Service 'never to be forgotten.

'And this we publish to all our Subjects, and to 'all the World, that they may truly understand 'the Clearness of our Intentions herein, as we shall 'do in all other Things concerning our Govern- 'ment; and that we do and ever shall maintain

'those

'those Resolutions we have professed so often and 'so seriously, by our former Declarations, That 'we will continue to defend the true Protestant 'Religion, as it is by Law established in the Church 'of *England*; the Laws of the Land; the Rights 'and just Liberties of our Subjects equally to and 'with our own just Prerogative, and the true Privileges of Parliament; and never infringe any Act 'consented to by us this Parliament; and that 'we have not, nor ever had, the least Thought of 'making War upon our two Houses of Parliament, 'as hath been slanderously and maliciously published. 'And these Things, not our Words only, but all 'our Actions shall make good: And in this Resolution, and the just Observation thereof, we shall 'both live and die.'

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Given at our Court at Beverley, *the eighth Day of* July, *in the eighteenth Year of our Reign*, 1642.

July 13. Both Houses having been at some Trouble to get any Alderman of *London* to act for the Lord Mayor during his Imprisonment, several of them having absolutely refused it, as not consistent with their Oath to the City: It was this Day ordered, That the Lord Mayor be commanded to depute some Person to be *Locum-tenens*, for the Government of the City of *London*, and calling of Common Councils.

July 14. Sir *John Conyers*, Lieutenant of the Tower, who was ordered to deliver the foregoing Message, acquainted the Lords, that the Lord Mayor said, He had no Power to appoint a Deputy for the Government of the City, during his Absence. Hereupon the Lords ordered, That Sir *George Whitmore*, Knt. and Alderman, in the Absence of the Lord Mayor, do cause a Court of Aldermen to be summoned, to meet at *Guildhall* the next Day; and they, so summoned, are strictly enjoined to appear accordingly; then to make Choice of a *Locum-tenens*, or to consider of what other Way will be

Further Proceedings in the Lord Mayor's Trial.

An. 18. Car. I. 1642. July. be according to the Cuſtom and Charters of the City, for the Safety and good Government thereof; and to give Account of their Proceedings therein to the ſaid Lords in Parliament, on the 16th of this Inſtant *July*.

Order of Parliament againſt publiſhing the King's laſt Declaration.

Many Magiſtrates and Clergymen, in Town and Country, were, about this Time, taken up and committed, by Order of the Houſe of Commons, for reading, in their reſpective Corporations and Pariſh-Churches, the King's laſt Declaration, publiſhed by his ſpecial Command.

Both Houſes concurred in an Order to the Meſſengers appointed to preſent their laſt Petition, for Peace, to the King, to acquaint his Majeſty, That, ſince the framing and preparing of that Petition, they have received from him a Meſſage, concerning the Delivering up of *Hull*; to which they conceive that Petition gives a full Anſwer, and therefore had reſolved not to return any other: — But Mr. *Ruſhworth* informs us, 'That, leſt the King ſhould think it a Dilatorineſs in the Parliament to return an Anſwer, the two Houſes ſent him, Poſt, to *Beverley*; to acquaint his Majeſty, that the Earl of *Holland*, Sir *John Holland*, and Sir *Philip Stapylton*, were coming down with a Petition of both Houſes, in Anſwer to his Majeſty's ſaid Meſſage.'

The ſame Day the Earl of *Bedford* was appointed General of Horſe, by the Concurrence of both Houſes, being approved on by the Earl of *Eſſex*: His Lordſhip expreſſed his Loyalty to the King, and his Readineſs in the Service, being, as he ſaid, for the Good and Welfare of the King and Kingdom; and what he wanted in Experience he would make up in his hearty Affections to that Service.

July 15. A Commiſſion for conſtituting the Earl of *Eſſex* Captain-General, *&c.* was read and agreed to by the Lords; which, though of a conſiderable Length, yet, ſince it is not in *Ruſhworth* or any

'other

other of the Contemporaries, and is very expreſſive in Form and Manner, we give, in its own Words, from the *Lords Journals*.

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The Parliament's Commiſſion to the Earl of *Eſſex* to be Captain-General of their Army.

'WHereas, upon ſerious Conſideration of the preſent and imminent Dangers of Force and Violence, which, at this Time, threaten the Parliament and the whole Kingdom, through the cunning Practice of Papiſts, and malicious Counſels of divers ill-affected Perſons, inciting his Majeſty to raiſe Men, make great Proviſions for War, and place Garriſons in Towns and other Places of Importance within this Kingdom; and, by Terror of Arms, to compel his Subjects to ſubmit to a Commiſſion of Array, contrary to Law; whereby God's true Religion and the Liberty of the Kingdom are like to be ſuppreſſed, and the whole Frame of the antient and well tempered Government of this Realm to be diſſolved and deſtroyed, and the *Engliſh* Nation inthralled, in their Perſons and Eſtates, to an arbitrary Power: The Lords and Commons in this preſent Parliament aſſembled, according to the Duty and Truſt which lies upon them, for Prevention of theſe great Miſchiefs and Preſervation of the Safety of his Majeſty's Perſon, the Peace of the Kingdom, and Defence of the Parliament, reſolved and ordained, That an Army be forthwith raiſed, and that the Trained Bands, and other Forces of the Kingdom, be put into a Poſture and Condition fit to oppoſe any Force and Inſurrection by Papiſts, or ill-affected Perſons, againſt the Public Peace and Laws of the Kingdom, however countenanced by any pretended Commiſſion or Authority from his Majeſty; and finding it moſt neceſſary that ſome Perſons of Honour, Wiſdom, and Fidelity ſhould be appointed to command the ſaid Army and Forces; and having had long Experience and certain Knowledge that *Robert* Earl of *Eſſex* is, every Way, qualified for a Truſt of ſo high a Nature and Concernment, in regard of the Nobility of his Birth, his great Judgment in Martial

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'tial Affairs, approved Integrity and Sufficiency in 'divers Honourable Employments and Commands 'in the ſaid Public Service of this State; and in 'whom his Majeſty repoſed ſuch Confidence, that, 'when he went into *Scotland* the laſt Summer, he 'left him General of all the South Parts of the 'Kingdom; and eſpecially in regard of his Faith-'fulneſs and good Affections to the Liberty, Peace, 'and Proſperity of the Kingdom, in this preſent 'Parliament abundantly manifeſted; and of the 'great Honour and Confidence among the well-'affected People of the Kingdom, which he hath 'hereby gained: The ſaid Lords and Commons do 'conſtitute and ordain him, the ſaid *Robert* Earl of '*Eſſex*, to be the Captain-General and Chief Com-'mander of the Army appointed to be raiſed, and 'of all other Forces of the Kingdom, for the Ends 'and Purpoſes aforementioned; and that he the ſaid 'Earl ſhall have and enjoy all Power, Titles, 'Preheminence, Authority, Juriſdiction, and Liber-'ties, incident and belonging to the ſaid Office of 'Captain-General, throughout the whole King-'dom of *England* and Dominion of *Wales*, in as 'large and ample a Manner as any other Gene-'ral of an Army in this Kingdom hath lawfully 'uſed, exerciſed, and enjoyed; to have, hold, and 'execute the Office of Captain-General, in ſuch 'Manner, and according to ſuch Inſtructions, as 'he ſhall, from Time to Time, receive from both 'Houſes of Parliament.

'And do further grant and ordain, That the ſaid 'Earl ſhall have Power to raiſe and levy Forces, 'as well Men at Arms, as other Horſemen and 'Footmen of all Kinds, and meet for the Wars, in 'all Counties, Cities, Boroughs, Towns Corporate, 'and other Places of this Kingdom and Dominion 'of *Wales*, as well within Liberties as without; and 'them to conduct and lead againſt all and ſingular 'Enemies, Rebels, Traitors, and other like Of-'fenders, and every of their Adherents; and with 'them to fight, and them to invade, reſiſt, repreſs, 'ſubdue,

'subdue, purſue, ſlay, and kill; to put in Execu- An. 18. Car. I.
'tion all and ſingular other Things for the levying 1642
'and governing of the ſaid Forces, preſerving the July.
'Safety of his Maieſty's Perſon, Defence of the
'Parliament, and the Conſervation of this Realm
'and the Subjects thereof in Peace, from all un-
'lawful Violence, Oppreſſion, or Force, howſo-
'ever countenanced by any pretended Commiſſion
'or Authority from his Majeſty, or otherwiſe; and
'ſhall have Power to aſſign and appoint a Lieute-
'nant-General under him, the ſaid Earl, in his
'Stead to do and execute all and every the Powers
'and Authority granted to him, the ſaid Earl; alſo
'to appoint a Lieutenant-General of the Troops of
'Horſe and all ſuch Commanders and Officers as
'ſhall be neceſſary and requiſite for the Government
'and Command of the ſaid Army; and likewiſe one
'Provoſt-Martial for the Execution of his Com-
'mands, according to this Ordinance.

'And for the better Execution of the Premiſes,
'it is ordered and ordained, That the ſaid Earl ſhall
'have Power to command all Forts and Caſtles,
'already fortified or to be fortified; and to remove,
'diſplace, or continue, the Captains, Lieutenants,
'and Soldiers: As likewiſe all Ships, Barks, and
'Veſſels, which he, the ſaid Earl, ſhall think meet,
'from Time to Time, for the Uſe and Service of
'the ſaid Army and Forces, under his Government
'and Command; likewiſe to give Rules, Inſtruc-
'tions, and Directions, for the Governing, Leading,
'and Conducting the ſaid Army; and for the Pu-
'niſhing of all Mutinies, Tumults, Rapines, and other
'Crimes and Miſdemeanors of any Perſon whatſo-
'ever in the ſame, according to the Courſe and
'Cuſtom of the Wars, and Law of the Land; and
'the ſame Rules and Inſtructions to cauſe to be pro-
'claimed, performed, and executed; ſtraitly char-
'ging and requiring both the ſaid Lieutenant-Ge-
'nerals, Provoſt-Martial, and all other Officers and
'Soldiers of the ſaid Army; as likewiſe all Lieute-
'nants of Counties, Sheriffs, Deputy-Lieutenants,
'Officers of the Ordnance, Commanders of Forts,

'Juſtices

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'Justices of Peace, Mayors, Bailiffs, and other his 'Majesty's Officers and Subjects whatsoever, to be 'aiding and assisting, and obedient to him, the said 'Earl, in the Execution of the said Office of Cap- 'tain-General, for the Ends and Purposes, and in 'the Manner aforesaid.

'And do likewise ordain and declare, That the 'said Earl, the Commanders and Officers of the 'said Army, and all his Majesty's Officers and Sub- 'jects whatsoever, in the Execution of the Premises, 'shall be saved harmless, and defended by the 'Power and Authority of both Houses of Parlia- 'ment.'

Upon putting the Question, Whether the Lords should agree to the Ordinance for this Commission, the Earl of *Portland* was the only Peer then in the House that dissented. But these Votes, for a speedy Armament, *&c.* were not carried in the House of Commons without very great Debate. Mr. *Whitlocke* has given us a Speech of his own against them. There is likewise another of Sir *Benjamin Rudyard*'s, on the same Occasion, yet preserved: Both which serve to shew, that some Men had the Courage to speak their Minds freely against these Military Votes. And first Mr. *Whitlocke*.

Mr. Speaker,

Mr. *Whitlocke*'s Speech against a Civil War.

'THE Question which was last propounded about raising Forces, naming a General and Officers of an Army, hath been very rare, before this Time, in this Assembly; and it seems to me to set us at the Pit's Brink, ready to plunge ourselves into an Ocean of Troubles and Miseries; and, if that could be, into more than a Civil War brings with it.

'Give me Leave, Sir, to consider this unhappy Subject, in the Beginning, Progress, and Issue of it.

'*Cæsar* tells us, and he knew as much of Civil War as any Man before him, that it cannot be begun *sine malis Artibus*.

'Surely

'Surely, Sir, our Enemies of the Popiſh Church have left no evil Arts uneſſayed to bring us to our preſent Poſture, and will yet leave none unattempted to make our Breaches wider; well knowing that nothing will more advance their Empire than our Diviſions. An. 18. Car. I. 1642. July.

'Our Miſery, whom they account Hereticks, is their Joy; our Diſtractions will be their Glory; and all evil Arts and Ways to bring Calamities upon us they will eſteem meritorious.

'But, Sir, I look upon another Beginning of our Civil War. God bleſſed us with a long and flouriſhing Peace, and we turned his Grace into Wantonneſs, and Peace would not ſatisfy us without Luxury, nor our Plenty without Debauchery; inſtead of Sobriety and Thankfulneſs for our Mercies, we provoked the Giver of them, by our Sins and Wickedneſs, to puniſh us, as we may fear, by a Civil War, to make us Executioners of Divine Vengeance upon ourſelves.

'It is ſtrange to note how we have inſenſibly ſlid into this Beginning of a Civil War, by one unexpected Accident after another, as Waves of the Sea, which hath brought us thus far, and we ſcarce know how; but, from Paper Combats, by Declarations, Remonſtrances, Proteſtations, Votes, Meſſages, Anſwers, and Replies, we are now come to the Queſtion of raiſing Forces, and naming a General and Officers of an Army.

'But what, Sir, may be the Progreſs hereof, the Poet tells you:

Juſq; datum Sceleri canimus, Populumq; potentem
In ſua Victrici converſum Viſcera Dextra.

'We muſt ſurrender up our Laws, Liberties, Properties, and Lives, into the Hands of inſolent Mercenaries, whoſe Rage and Violence will command us and all we have. Reaſon, Honour, and Juſtice will leave our Land; the Ignoble will rule the Noble; Baſeneſs will be preferred before Virtue, and Profaneneſs before Piety.

'Of

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'Of a potent People we shall make ourselves weak, and be the Instruments of our own Ruin; *Perditio tua ex te* will be said to us: We shall burn our own Houses, lay waste our own Fields, pillage our own Goods, open our own Veins, and eat our own Bowels.

'You will hear other Sounds besides those of Drums and Trumpets; the Clattering of Armour, the Roaring of Guns, the Groans of wounded and dying Men, the Shrieks of deflowered Women, the Cries of Widows and Orphans; and all on your Account, which makes it the more to be lamented.

'Pardon, Sir, the Warmth of my Expression on this Argument; it is to prevent a Flame which I see kindled in the Midst of us, that may consume us to Ashes. The Sum of the Progress of Civil War, is the Rage of Fire and Sword; and, which is worse, of brutish Men.

'What the Issue of it will be, no Man alive can tell: Probably few of us now here may live to see the End of it. It hath been said, That he that draws his Sword against his Prince, must throw away the Scabbard. Those Differences are scarce to be reconciled. These Commotions are like the deep Seas, which being once stirred, are not soon appeased.

'I wish the Observation of the Duke *de Rohan*, in his *Interest of Christendom*, may prove a Caution, not a Prophecy; he saith of *England*, That it is a great Creature which cannot be destroyed but by its own Hand: And there is not a more likely Hand than that of Civil War to do it.

'The Issue of all War is like a Cast at Dice, none can tell upon what Square the *Alea Belli* will light; the best Issue that can be expected of a Civil War, is, *ubi Victor flet, & Victus perit*. Which of these will be our Portion is uncertain, and the Choice should be avoided.

'Yet, Sir, when I have said this, I am not for a tame Resignation of our Religion, Lives, and Liberties into the Hands of our Adversaries, who seek to devour us; nor do I think it inconsistent with your

your great Wisdom, to prepare for a just and necessary Defence of them. An. 18. Car. I. 1642. July.

'It was truly observed by a Noble Gentleman, That, if our Enemies find us provided to resist their Attempts upon us, it will be the likeliest Way to bring them to an Accord with us: And, upon this Ground, I am for the Question.

'But I humbly move you to consider, Whether it be not yet too soon to come to it? We have tried by Proposals of Peace to his Majesty, and they have been rejected: Let us try yet again, and appoint a Committee who may review our former Propositions.

'And where they find the Matter of them (as our Affairs now are) fit to be altered, that they present the Alterations to the House, and their Opinions; and that, as far as may stand with the Security of us and our Cause, we may yield our Endeavours to prevent the Miseries which look black upon us, and to settle a good Accommodation; so that there may be no Strife between us and those of the other Party, *for we are Brethren.*

Sir BENJAMIN RUDYARD'S *on the same Occasion.*[1]

Mr. Speaker,

Sir *Benjamin Rudyard's* on the same Subject.

'IN the Way we are, we have gone as far as Words can carry us: We have voted our own Rights and the King's Duty. No Doubt there is a relative Duty between King and Subjects, Obedience from a Subject to a King, Protection from a King to his People. The present unhappy Distance between his Majesty and the Parliament, makes the whole Kingdom stand amazed, in a fearful Expectation of dismal Calamities to fall upon it. It deeply and conscionably concerns this House, to compose and settle these threatening ruining Distractions.

'Mr.

[1] From the Original Edition printed at *London, July* 17, 1642, for *R. Thrale.* This Speech was so agreeable to the King, that it was reprinted at *York*, by *Stephen Bulkley*, and published there the Week following.

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'Mr. Speaker, I am touched, I am pierced, with an Apprehenſion of the Honour of the Houſe, and Succeſs of this Parliament. The beſt Way to give a Stop to theſe deſperate imminent Miſchiefs, is to make a fair Way for the King's Return hither; it will likewiſe give beſt Satisfaction to the People, and will be our beſt Juſtification.

'Mr. Speaker, That we may the better conſider the Condition we are now in, let us ſet ourſelves three Years back. If any Man then could have credibly told us, that, within three Years, the Queen ſhall be gone out of *England* into the *Low-Countries*, for any Cauſe whatſoever; the King ſhall remove from his Parliament, from *London* to *York*, declaring himſelf not to be ſafe here; that there ſhall be a total Rebellion in *Ireland*; ſuch Diſcords and Diſtempers both in Church and State here, as now we find! Certainly we ſhould have trembled at the Thought of it; wherefore it is fit we ſhould be ſenſible now we are in it. On the other Side; if any Man then could have credibly told us, that, within three Years, ye ſhall have a Parliament, it would have been good News; that Ship-Money ſhall be taken away by an Act of Parliament, the Reaſons and Grounds of it ſo rooted out, as that neither it, nor any Thing like it, can ever grow up again; that Monopolies, the High-Commiſſion-Court, the Star-Chamber, the Biſhop's Votes, ſhall be taken away; the Council-Table regulated and reſtrained; the Foreſts bounded and limited; that ye ſhall have a Triennial Parliament; nay more than that, a perpetual Parliament, which none ſhall have Power to diſſolve without yourſelves, we ſhould have thought this a Dream of Happineſs! Yet, now we are in the real Poſſeſſion of it, we do not enjoy it, although his Majeſty hath promiſed and publiſhed he will make all this good to us. We ſtand chiefly upon further Security; whereas the very Having of theſe Things is a convenient fair Security, mutually ſecuring one another. There is more Security offered, even in this laſt Anſwer of the King's, by removing the perſonal Votes of Popiſh

piſh Lords, by the better Education of Papiſts Children, and by ſupplying the Defects of the Laws againſt Recuſants; beſides what elſe may be enlarged and improved by a ſelect Committee of both Houſes named for that Purpoſe. Wherefore, Sir, let us beware we do not contend for ſuch a hazardous unſafe Security, as may endanger the Loſs of what we have already. Let us not think we have nothing, becauſe we have not all we deſire; and though we had, yet we cannot make a Mathematical Security; all human Caution is ſuſceptible of Corruption and Failing; God's Providence will not be bound, Succeſs muſt be his: He that obſerves the Wind and Rain, ſhall neither ſow nor reap; if he do nothing till he can ſecure the Weather, he will have but an ill Harveſt. An. 18. Car. I. 1642. July.

Mr. Speaker, it now behoves us to call up all the Wiſdom we have about us, for we are at the very Brink of Combuſtion and Confuſion: If Blood begins once to touch Blood, we ſhall preſently fall into a certain Miſery, and muſt attend an uncertain Succeſs, God knows when, and God knows what. Every Man here is bound, in Conſcience, to employ his uttermoſt Endeavours to prevent the Effuſion of Blood: Blood is a crying Sin, it pollutes a Land; let us ſave our Liberties and our Eſtates, but ſo as we may ſave our Souls too. Now I have clearly delivered my own Conſcience, I leave every Man freely to his.'

July 18. The Lords were employed in reading Letters from Sir *John Hotham* and his Son at *Hull*, declaring the State of that Town; which, at this Time, ſeems to have been, in ſome Meaſure, beſieged by the King's Forces, to the Number of 2500 Horſe and Foot, lying before it; and ſome Deſtruction made of them, as the Letter-Writers ſaid, by the Cannon of the Town. But ſtill the Beſieged had the River *Humber* open to them, where two Ships of the Navy lay, whoſe Captains are reported to have done ſuch good Service, by intercepting of all Veſſels, *&c.* coming from *Holland* The State of *Hull* at this Time.

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land for the King's Uſe, as to deſerve the Thanks of Parliament.

July.

July 19. Several Parliamentary Indemnities were granted to divers Towns and Counties, for their raiſing and training of Volunteers, for the Service of King and Parliament, againſt the Commiſſion of Array.

This being the Day appointed for hearing the Lord Mayor's Cauſe, he was brought to the Bar as a Delinquent, the Commons being preſent; where, kneeling till he was bid to riſe, the Speaker aſked him, if he had brought his Anſwer to the Commons additional Impeachment againſt him; which he delivered in, and it was read *in hæc Verba:*

The HUMBLE ANSWER *of Sir* RICHARD GURNEY, *Knt. and Bart. Lord Mayor of the City of* London, *to a Second Impeachment exhibited againſt him to the Right Honourable the Lords in Parliament, by the Honourable the Houſe of Commons.*

The Lord Mayor's Anſwer to his ſecond Impeachment.

'THE Defendant, ſaving to himſelf all Benefit of Exception to the ſaid Impeachment, 'as to all and every the wicked and malicious Adviſing, Countenancing, Perſuaſions, Solicitations, 'and Practices mentioned; and as to the illegal 'Impriſonment of *John Carter*, *William Gouch*, and '*Richard Arnold*, or any other Apprentices within 'the City of *London*; as alſo to the Charge of 'Breach of his, this Defendant's, Oath, and Neglect of the Duty of his Place; and to all and every 'or any other Offences, Practices, Contempts, and 'Miſdemeanors, by the ſaid Impeachment laid to 'this Defendant, he, this Defendant, ſaith, That 'he is not of them, or any of them, guilty in ſuch 'Manner and Form as the ſame are in and by the 'ſaid Impeachment charged.

JOHN HERNE,
CHALONER CHUTE,
Ex Aſſign. Dom. in Parl.

Or-

Ordered, That *Friday* next, the 22d Inſtant, be appointed to proceed in this Cauſe, and the Commons then to produce all the Proofs of their Impeachment. An. 18. Car. I. 1642. July.

July 20. A Letter to the Speaker of the Houſe of Lords, from the Earl of *Holland*, one of their Committee, ſent down into the North, to deliver their laſt Petition to the King, was read as follows:

My Lord,

The Earl of *Holland*'s Account of his preſenting the Parliament's Petition to the King, for Peace.

OUR Admittance to his Majeſty was very quick, for that very Night we arrived here, after his Supper, tho' he came home late from Lincoln, [m] *he commanded us to attend him; where we found him accompanied by many Officers, but few Lords; for moſt of them were abſent, they ſay here, to put in Execution the Commiſſion of Array, in thoſe Shires whither the King's Commiſſion had directed them.*

After we had read your Petition, his Majeſty told us, It was a Buſineſs of great Importance, and required Time to adviſe of his Anſwer; *yet then he remarked, with ſome Sharpneſs, on ſome Parts of the Petition, which I ſhall give my Lords an Account of in Perſon.*

I believe we may be diſpatched To-day, or, at furtheſt, To-morrow; for his Majeſty goes to Nottingham *and* Leiceſter, *to call thoſe Counties together, and to aſſure them to him; as, he believes, he has already done thoſe where his Preſence hath been.*

His Forces appear not to be ſo great as they are; for it is ſaid here, and I believe with ſome Truth, that he may, when he pleaſes, call a very conſiderable Number together, that are ready, upon the leaſt Command, to move towards him: But this is de-

[m] In the Interval between the King's iſſuing the foregoing Proclamation and the Delivery of the Parliament's Petition, his Majeſty took a ſhort Progreſs to *Newark*, to encourage the *Nottinghamſhire* Men, who, by their Letter to their Repreſentatives, ſeemed much devoted to his Service; after a Day's Stay there he went to *Lincoln* to give ſome Life to his Friends in that County, where the Ordinance of Militia had been vigorouſly put in Execution by the Lord *Willoughby* of *Parham*, notwithſtanding the King's Proclamation to the contrary.

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clined on two Reſpects; the one, untill he hath received a direct Anſwer concerning Hull; *the other, to eaſe his Charge for the preſent. There are ſeveral Troops of Horſe that have been raiſed by Noblemen and Gentlemen, which are quartered in this County.*

Theſe Generals are only proper to be delivered unto you at this preſent; when I attend you, which ſhall be with all the Diligence I may, my Lords ſhall have a very particular Account of the Knowledge and Duty of

Your Lordſhip's

Beverley, July 18, 1642.

moſt humble Servant,

HOLLAND.

Further Particulars of what paſſed upon that Occaſion.

It is obſervable, that, in the foregoing Letter, the Earl of *Holland* only ſays in the general, 'That 'the King remarked with Sharpneſs on ſome Part 'of the Petition, the Particulars whereof he thought 'more proper to communicate to the Houſe in Per-'ſon.'——The following Narrative of what paſſed upon this Occaſion, as drawn up by Lord *Clarendon*, who was then with the King at *York*, will therefore come very properly in this Place; and the more ſo, as none of theſe Particulars are mentioned by any other of the Contemporary Hiſtorians.

'Theſe Meſſengers for Peace reported to all whom they met, and with whom they converſed, 'That they had brought ſo abſolute a Submiſſion 'from the Parliament to the King, that there could 'be no Doubt of a firm and happy Peace:' And when the Earl of *Holland* preſented the Petition, he firſt made a ſhort Speech to the King, telling him, 'That the glorious Motto of his bleſſed Fa-'ther, King *James*, was *Beati Pacifici*, which he 'hoped his Majeſty would continue; that they pre-'ſented him with the humble Duty of his two 'Houſes of Parliament, who deſired nothing from 'him but his Conſent and Acceptance of Peace, 'they aiming at nothing but his Majeſty's Honour 'and Happineſs; and then read their Meſſage aloud, 'in theſe Words:

To

To the KING's Moſt Excellent MAJESTY, An. 18. Car. 1642.

The HUMBLE PETITION of the LORDS and COMMONS aſſembled in Parliament. July.

May it pleaſe your Majeſty,

ALthough we, your Majeſty's moſt humble and faithful Subjects, the Lords and Commons in Parliament aſſembled, have been very unhappy in many former Petitions and Supplications to your Majeſty; wherein we have repreſented our moſt dutiful Affections, in adviſing and deſiring thoſe Things which we held moſt neceſſary for the Preſervation of God's true Religion, your Majeſty's Safety and Honour, and the Peace of the Kingdom; and, with much Sorrow, do perceive, that your Majeſty, incenſed by many falſe Calumnies and Slanders, doth continue to raiſe Forces againſt us and your other loyal and peaceable Subjects; to make great Preparations for War, both in this Kingdom and alſo from beyond the Seas; by Arms and Violence, to over-rule the Judgment and Advice of your Great Council; and, by Force, to determine the Queſtions there depending, concerning the Government and Liberty of the Kingdom; yet ſuch is our earneſt Deſire of diſcharging our Duty to your Majeſty and the Kingdom, to preſerve the Peace thereof, and to prevent the Miſeries of Civil War amongſt your Subjects, that (notwithſtanding we hold ourſelves bound to uſe all the Means and Power, which, by the Laws and Conſtitutions of this Kingdom, we are truſted with, for Defence and Protection thereof, and of the Subjects, from Force and Violence) we do, in this our humble and loyal Petition, proſtrate ourſelves at your Majeſty's Feet; beſeeching your Majeſty, that you will be pleaſed to forbear and remove all Preparations and Actions of War, particularly the Forces from about Hull, *from* Newcaſtle, Tinmouth, Lincoln, *and* Lincolnſhire, *and all other Places; and that your Majeſty will recall the Commiſſions of Array, which are illegal; diſmiſs the Troops and extraordinary Guards, by you raiſed; that your Majeſty will come nearer to your Parliament, and hearken to their faith-* The Petition.

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ful Advice and humble Petitions, which shall only tend to the Defence and Advancement of Religion, your own Royal Honour and Safety, the Preservation of our Laws and Liberties: And we have been, and shall ever be, careful to prevent and punish all Tumults and seditious Actions, Speeches, and Writings, which may give your Majesty just Cause of Distaste or Apprehension of Danger; from which public Aims and Resolutions no sinister or private Respect shall ever make us to decline; that your Majesty will leave Delinquents to the due Course of Justice; and that nothing done or spoken in Parliament, or by any Person in Pursuance of the Command and Direction of both Houses of Parliament, be questioned any where but in Parliament.

And we, for our Parts, shall be ready to lay down all those Preparations which we have been forced to make for our Defence. And for the Town of Hull, *and the Ordinance concerning the Militia; as we have, in both these Particulars, only sought the Preservation of the Peace of the Kingdom, and the Defence of the Parliament from Force and Violence; so we shall most willingly leave the Town of* Hull *in the State it was before Sir* John Hotham *drew any Forces into it, delivering your Majesty's Magazine into the Tower of* London, *and supplying whatsoever hath been disposed of by us for the Service of the Kingdom. We shall be ready to settle the Militia by a Bill, in such a Way as shall be honourable and safe for your Majesty, most agreeable to the Duty of Parliament, and effectual for the Good of the Kingdom; that the Strength thereof be not employed against itself, and that which ought to be for our Security applied to our Destruction: And that the Parliament, and those who profess and desire still to preserve the Protestant Religion, both in this Realm and in* Ireland, *may not be left naked and indefensible, to the mischievous Designs and cruel Attempts of those who are the profess'd and confederated Enemies thereof, in your Majesty's Dominions and other neighbouring Nations: To which if your Majesty's Courses and Counsels shall, from henceforth, concur, we doubt not but we shall quickly make it appear to the World, by the most eminent*

nent Effects of Love and Duty, that your Majesty's An. 18. Car. I. 1642. July.
personal Safety, your Royal Honour and Greatness, are much dearer to us than our own Lives and Fortunes; which we do most heartily dedicate, and shall most willingly employ, for the Support and Maintenance thereof.

As soon as this Petition was read by the Earl of *Holland*, the King told the Committee, 'The Reproaches, cast upon him by it, were not answerable to the Expressions his Lordship had made; and that he was sorry that they thought the Exposing him and his Honour to so much Scandal, was the Way to procure or preserve the Peace of the Kingdom; that they should speedily receive his Answer; by which the World would easily discern who desired Peace most.' And, accordingly, the second Day, his Majesty delivered them, in Public, his Answer to their Petition; which was likewise read, by one of his Servants, in these Words: The King's Answer to the Parliament's Committee,

His MAJESTY'S ANSWER *to the* PETITION *of the* LORDS *and* COMMONS *assembled in Parliament.*

'THough his Majesty had no great Reason to believe, that the Directions sent to the Earl of *Warwick* to go to the River of *Humber*, with as many Ships as he should think fit, for all possible Assistance to Sir *John Hotham*, (whilst his Majesty expected the giving up of the Town unto him) and to carry away such Arms from thence as his Discretion thought fit to spare out of his Majesty's own Magazine: The chusing a General by both Houses of Parliament, for the Defence of those who have obeyed their Orders and Commands, be they never so extravagant and illegal: Their Declaration, *That, in that Cause, they would live and die with the Earl of* Essex *their General*, all which were voted the same Day with this Petition: And the committing the Lord Mayor of *London* to Prison for executing his Majesty's Writs and lawful Commands, were but ill And to the Petition.

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'Prologues to a Petition which might compose the 'miserable Distractions of the Kingdom: Yet his 'Majesty's passionate Desire of the Peace of the 'Kingdom, together with the Preface of the Pre- 'senters, *That they had brought a Petition full of 'Duty and Submission to his Majesty, and which 'desired nothing of him but his Consent to Peace*, '(which his Majesty conceived to be the Language 'of both Houses too) begot a greedy Hope and Ex- 'pectation in him, that this Petition would have 'been such an Introduction to Peace, that it would 'at least have satisfied his Message of the eleventh 'of this Month, by delivering up of *Hull* to his 'Majesty.

'But, to his unspeakable Grief, his Majesty hath 'too much Cause to believe, that the End of some 'Persons by this Petition is not, in Truth, to give 'any real Satisfaction to his Majesty; but, by the 'specious Pretences of making Offers to him, to 'mislead and seduce his People, and lay some Im- 'putation upon him of denying what is fit to be 'granted; otherwise it would not have thrown 'those unjust Reproaches and Scandals upon his 'Majesty, for making a necessary and just Defence 'for his own Safety; and so peremptorily justified 'such Actions against him, as, by no Rule of Law 'or Justice, can admit the least Colour of Defence; 'and, after so many free and unlimited Acts of 'Grace passed by his Majesty, without any Condi- 'tion, have proposed such Things which, in Ju- 'stice, cannot be denied unto him, upon such Con- 'ditions as, in Honour, he cannot grant.

'However, that all the World may see how 'willing his Majesty would be to embrace any O- 'verture that might beget a right Understanding 'between him and his two Houses of Parliament, '(with whom he is sure he shall have no Conten- 'tion, when the private Practices and subtle In- 'sinuations of some few Malignant Persons shall 'be discovered, which his Majesty will take Care 'shall be speedily done) he hath, with great Care,

'weighed

weighed the Particulars of this Petition, and returns this Answer: An. 18. Car. I. 1642. July.

'That the Petitioners were never unhappy in 'their Petitions or Supplications to his Majesty, 'while they desired any Thing which was necessary 'or convenient for the Preservation of God's true 'Religion, his Majesty's Safety and Honour, and 'the Peace of the Kingdom; and therefore, when 'those general envious Foundations are laid, his 'Majesty could wish some particular Instances had 'been applied. Let Envy and Malice object one 'particular Proposition for the Preservation of God's 'true Religion, which his Majesty hath refused to 'consent to; what himself hath often made for the 'Ease of tender Consciences, and for the Advance-'ment of the Protestant Religion, is notorious by 'many of his Messages and Declarations: What 'Regard hath been to his Honour and Safety, when 'he hath been driven from some of his own Houses, 'and kept out of his own Towns by Force: And 'what Care there hath been of the Peace of the 'Kingdom, when Endeavour hath been used to put 'all his Subjects in Arms against him, is so evident 'that his Majesty is confident he cannot suffer by 'those general Imputations: It is enough that the 'World knows what he hath granted, and what he 'hath denied.

'For his Majesty's raising Forces, and making 'Preparations for War, (whatsoever the Petition-'ers, by the evil Arts of the Enemies to his Maje-'sty's Person and Government, and by the Calum-'nies and Slanders raised against his Majesty by 'them, are induced to believe) all Men may know 'what is done that Way, is but in order to his own 'Defence.

'Let the Petitioners remember that (which all 'the World knows) his Majesty was driven from 'his Palace of *Whitehall*, for Safety of his Life: 'That both Houses of Parliament, upon their own 'Authority, raised a Guard to themselves (having 'gotten the Command of all the Train'd Bands of *Lon-*

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'*London* to that Purpoſe) without the leaſt Colour 'or Shadow of Danger: That they uſurped a 'Power, by their pretended Ordinance, (againſt all 'Principles and Elements of Law) over the whole 'Militia of the Kingdom, without and againſt his 'Majeſty's Conſent: That they took Poſſeſſion of 'his Town, Fort, and Magazine of *Hull*, and 'committed the ſame to Sir *John Hotham*, who 'ſhut the Gates againſt his Majeſty; and, by Force 'of Arms, denied Entrance thither to his own Per-'ſon: That they juſtified this Act, which they 'had not directed; and took Sir *John Hotham* into 'their Protection for whatſoever he had done, or 'ſhould do, againſt his Majeſty; and all this, whilſt 'his Majeſty had no other Attendance than his own 'menial Servants.

'Upon this the Duty and Affection of this Coun-'ty prompted his Subjects, here, to provide a ſmall 'Guard for his own Perſon; which was no ſooner 'done, but a Vote ſuddenly paſſed of his Majeſty's 'Intention to levy War againſt his Parliament; 'which, God knows, his Heart abhorreth: And, 'notwithſtanding all his Majeſty's Profeſſions, De-'clarations, and Proteſtations to the contrary, ſe-'conded by the clear Teſtimony of ſo great a Num-'ber of Peers upon the Place, Propoſitions and Or-'ders for Levies of Men, Horſe, and Arms, were 'ſent throughout the Kingdom; Plate and Money 'brought in and received; Horſe and Men raiſed 'towards an Army, muſtered and under Command; 'and all this contrary to the Law and to his Maje-'ſty's Proclamation: And a Declaration publiſhed, '*That if he ſhould uſe Force for the Recovery of* Hull, '*or ſuppreſſing the pretended Ordinance for the Mi-'litia, it ſhould be held levying War againſt the Par-'liament*; and all this done before his Majeſty 'granted any Commiſſion for the levying or rai-'ſing a Man: His Majeſty's Ships were taken from 'him, and committed to the Cuſtody of the Earl 'of *Warwick*; who preſumes, under that Power, 'to uſurp to himſelf the Sovereignty of the Sea, to

'chaſe

chaſe, fright, and impriſon ſuch of his Majeſty's good Subjects as deſire to obey his lawful Commands; although he had Notice of the legal Revocation of the Earl of *Northumberland*'s Commiſſion of Admiral, whereby all Power derived from that Commiſſion ceaſed. An. 18. Car. I. 1642. July.

'Let all the World now judge who began this War, and upon whoſe Account the Miſeries which may follow muſt be caſt: What his Majeſty could have done leſs than he hath done, and whether he were not compelled to make Proviſion both for the Defence of himſelf, and Recovery of what is ſo violently and injuriouſly taken from him: And whether theſe Injuries and Indignities are not juſt Grounds for his Majeſty's Fears and Apprehenſions of farther Miſchief and Danger to him.

'Whence the Fears and Jealouſies of the Petitioners have proceeded hath never been diſcover'd: The Dangers they have brought upon his good Subjects are too evident: What thoſe are they have prevented, no Man knows; and therefore his Majeſty cannot but look upon that Charge, as the boldeſt and the moſt ſcandalous that hath been yet laid upon him, *That this neceſſary Proviſion, made for his own Safety and Defence, is to over-rule the Judgment and Advice of his Great Council; and, by Force, to determine the Queſtions there depending concerning the Government and Liberty of the Kingdom.* If no other Force had been raiſed to determine thoſe Queſtions than by his Majeſty, this unhappy Miſunderſtanding had not been. And his Majeſty no longer deſires the Bleſſing and Protection of Almighty God upon himſelf and his Poſterity, than he and they ſhall, ſolemnly, obſerve the due Execution of the Laws, in the Defence of Parliaments, and the juſt Freedom thereof.

'For the Forces about *Hull*; his Majeſty will remove them when he hath obtained the End for which they were brought thither. When *Hull* ſhall be reduced again to his Subjection, he will no longer have an Army before it: And when he

'ſhall

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'shall be assured that the same Necessity and Pretence of Public Good which took *Hull* from him, 'may not put a Garrison into *Newcastle*, to keep 'the same against him, he will remove his from 'thence, and from *Tinmouth*; till when, the Example of *Hull* will not out of his Memory.

'For the Commissions of Array, which are legal, 'and are so proved by a Declaration now in the 'Press; his Majesty wonders why they should, at 'this Time, be thought grievous, and fit to be recalled: If the Fears of Invasion and Rebellion be 'so great, that, by an illegal pretended Ordinance, 'it is necessary to put his Subjects into a Posture of 'Defence, to array, train, and muster them, he 'knows not why the same should not be done in a 'regular, known, and lawful Way: But if, in the 'Execution of that Commission, any Thing shall 'be unlawfully imposed upon his Subjects, his Majesty will take all just and necessary Care for their 'Redress.

'For his Majesty's coming nearer to his Parliament; his Majesty hath expressed himself so fully 'in his several Messages, Answers, and Declarations; and so particularly avowed a real Fear of his 'Safety, upon such Instances as cannot be answered, 'that he hath Reason to think himself somewhat 'neglected; that since, upon so manifest Reasons, it 'is not safe for his Majesty to come to them, both 'his Houses of Parliament will not come nearer to 'his Majesty, or to such a Place where the Freedom 'and Dignity of Parliament might be preserved.

'However, his Majesty shall be very glad to hear 'of some such Example in their punishing the Tumults (which he knows not how to expect, when 'they have declared, *That they knew not of any* 'Tumults, though the House of Peers desired, both 'for the Dignity and Freedom of Parliament, That 'the House of Commons would join with them in a 'Declaration against Tumults, which they refused, 'that is, neglected to do) and other seditious Actions, Speeches, and Writings, as may take that 'Apprehension of Danger from him; though,

'when

when he remembers the particular Complaints himself hath made of Busineſſes of that Nature, and that inſtead of inquiring out the Authors, Neglect of Examination hath been; when Offer hath been made to both Houſes to produce the Authors, as in that treaſonable Paper concerning the Militia; and when he ſees every Day Pamphlets publiſhed againſt his Crown, and againſt Monarchy itſelf, (as the Obſervations upon his late Meſſages, Declarations, and Expreſſes) and ſome Declarations of their own, which give too great Encouragement in that Argument to ill-affected Perſons; his Majeſty cannot, with Confidence, entertain thoſe Hopes which would be moſt welcome to him. An. 18. Car. I. 1642. July.

'For the leaving Delinquents to the due Courſe of Juſtice; his Majeſty is moſt aſſured he hath been no Shelter to any ſuch: If the Tedioufneſs and Delay in Proſecution, the vaſt Charge in Officers Fees, the keeping Men under a general Accuſation without Trial a whole Year and more, and ſo allowing them no Way for their Defence and Vindication, have frighted Men away from ſo chargeable and uncertain an Attendance; the Remedy is beſt provided where the Diſeaſe grew. If the Law be the Meaſure of Delinquency, none ſuch are within his Majeſty's Protection: But if, by Delinquents, ſuch are underſtood who are made ſo by Vote, without any Treſpaſs upon any known or eſtabliſhed Law: If, by Delinquents, the Nine Lords are underſtood, who are made Delinquents for obeying his Majeſty's Summons to come to him, after their Stay there was neither ſafe nor honourable, by reaſon of the Tumults and other Violences; and whoſe Impeachment, he is confident, is the greateſt Breach of Privilege, that, before this Parliament, was ever offered to the Houſe of Peers: If, by Delinquents, ſuch are underſtood who refuſe to ſubmit to the pretended Ordinance of the Militia, to that of the Navy, or to any other which his Majeſty hath not conſented to; ſuch who, for the Peace of the Kingdom, in an humble Manner, prepare Petitions to him, or to

'both

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both Houſes, as his good Subjects of *London* and *Kent* did; whilſt ſeditious ones, as that of *Eſſex*, and other Places, are allowed and cheriſhed: If, by Delinquents, ſuch are underſtood, who are called ſo for publiſhing his Proclamations, as the Lord Mayor of *London*; or for reading his Meſſages and Declarations, as divers Miniſters about *London* and elſewhere; when thoſe againſt him are diſperſed, with all Care and Induſtry, to poiſon and corrupt the Loyalty and Affection of his People: If, by Delinquents, ſuch are underſtood, who have or ſhall lend his Majeſty Money, in the Univerſities, or in any other Places; his Majeſty declares to all the World, That he will protect ſuch with his utmoſt Power and Strength; and directs, That, in theſe Caſes, they ſubmit not to any Meſſengers or Warrants of Parliament; it being no leſs his Duty to protect thoſe who are innocent, than to bring the guilty to condign Puniſhment; of both which the Law is to be Judge.

'And if both Houſes do think fit to make a General, and to raiſe an Army for the Defence of thoſe who obey their Orders and Commands; his Majeſty muſt not ſit ſtill, and ſuffer ſuch who ſubmit to his juſt Power, and are ſolicitous for the Laws of the Land, to periſh and be undone, becauſe they are called Delinquents: And when they ſhall take upon them to diſpenſe with the Attendance of thoſe who are called by his Majeſty's Writ, whilſt they ſend them to Sea to rob his Majeſty of his Ships; or into the ſeveral Counties, to put his Subjects in Arms againſt him, his Majeſty (who only hath it) will not loſe the Power to diſpenſe with them to attend his own Perſon, or to execute ſuch Offices as are neceſſary for the Preſervation of himſelf and the Kingdom; but muſt protect them though they are called Delinquents.

'For the Manner of the proceeding againſt Delinquents; his Majeſty will proceed againſt thoſe who have no Privilege of Parliament, or in ſuch Caſes where no Privilege is to be allowed, as he

'ſhall

'shall be adviſed by his learned Counſel, and ac- An. 18. Car. I.
'cording to the known and unqueſtionable Rules of 1642.
'the Law; it being unreaſonable that he ſhould be July.
'compelled to proceed againſt thoſe who violated
'the known and undoubted Law, only before them
'who have directed ſuch Violation.

'Having ſaid thus much to the Particulars of the
'Petition, though his Majeſty hath Reaſon to com-
'plain, That, ſince the ſending this Petition, they
'have beaten their Drums for Soldiers againſt him;
'armed their own General with a Power deſtruc-
'tive to the Law and Liberty of the Subject, and
'choſen a General of their Horſe: His Majeſty,
'out of his Princely Love, Tenderneſs, and Com-
'paſſion of his People, and Deſire to preſerve the
'Peace of the Kingdom, that the whole Force and
'Strength of it may be united for the Defence of
'itſelf, and the Relief of *Ireland*, (in whoſe Behalf
'he conjures both his Houſes of Parliament, as they
'will anſwer the contrary to Almighty God, to his
'Majeſty, to thoſe that truſt them, and to that
'bleeding miſerable Kingdom, that they ſuffer not
'any Monies granted and collected by Act of Par-
'liament, to be diverted or employed againſt his
'Majeſty, whilſt his Soldiers in that Kingdom are
'ready to mutiny, or periſh, for Want of Pay, and
'the barbarous Rebels prevail by that Encourage-
'ment) is graciouſly pleaſed, once more, to propoſe
'and require,

1*ſt*, 'That his Town of *Hull* be, immediately,
'delivered up to him; which being done (tho' his
'Majeſty hath been provoked by unheard-of Inſo-
'lences of Sir *John Hotham*, ſince his burning and
'drowning the Country, in ſeizing his Wine and
'other Proviſions for his Houſe; and ſcornfully
'uſing his Servants, whom he ſent to require them,
'ſaying, *It came to him by Providence, and he will*
'*keep it*; and ſo refuſing to deliver it, with Threats
'if he, or any other of his Fellow-Servants, ſhould
'again repair to *Hull* about it; and in taking and
'detaining Priſoners divers Gentlemen, and others,
'in their Paſſage over the *Humber* into *Lincolnſhire*,

'about

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'about their neceſſary Occaſions; and ſuch other 'Indignities, as all Gentlemen muſt reſent in his 'Majeſty's Behalf) his Majeſty, to ſhew his earneſt 'Deſire of Peace, for which he will diſpenſe with 'his own Honour; and how far he is from Deſire 'of Revenge, will grant a free and general Pardon 'to all Perſons within that Town.

2*dly*, 'That his Majeſty's Magazine, taken from '*Hull*, be forthwith put into ſuch Hands as he ſhall 'appoint.

3*dly*, 'That his Navy be forthwith delivered in-'to ſuch Hands as he hath directed for the Govern-'ment thereof: The detaining thereof, after his 'Majeſty's Directions publiſhed and received to the 'contrary, and employing his Ships againſt him, in 'ſuch Manner as they are now uſed, being noto-'rious High Treaſon in the Commanders of thoſe 'Ships.

4*thly*, 'That all Arms, Levies, and Proviſions 'for a War, made by the Conſent of both Houſes, '(by whoſe Example his Majeſty hath been forced 'to make ſome Preparations) be immediately laid 'down; and the pretended Ordinance for the Mi-'litia, and all Power of impoſing Laws upon the 'Subject, without his Majeſty's Conſent, be diſ-'avowed; without which, the ſame Pretence will 'remain to produce the ſame Miſchief; all which 'his Majeſty may as lawfully demand, as to live; 'and can with no more Juſtice be denied him, than 'his Life may be taken from him.

'Theſe being done, and the Parliament adjourn'd 'to a ſafe and ſecure Place, his Majeſty promiſes in 'the Preſence of God, and binds himſelf by all his 'Confidence and Aſſurance in the Affection of his 'People, That he will inſtantly, and moſt chear-'fully, lay down all the Force he ſhall have raiſed, 'and diſcharge all his future and intended Levies, 'that there may be a general Face of Peace over 'the whole Kingdom, and will repair to them; 'and deſires that all Differences may be freely de-'bated in a Parliamentary Way, whereby the Law 'may recover its due Reverence, the Subject his 'juſt

'just Liberty, and Parliaments themselves their full 'Vigour and Estimation; and so the whole King- 'dom, a blessed Peace, Quiet, and Prosperity. An. 18. Car. I. 1642. July.

'If these Propositions shall be rejected, his Majesty 'doubts not of the Protection and Assistance of Al- 'mighty God, and the ready Concurrence of his 'good Subjects; who can have no Hope left them 'of enjoying their own long, if their King may be 'oppressed and spoiled, and must be remediless. 'And though his Towns, his Ships, his Arms, and 'his Money be gotten and taken from him, he hath 'a good Cause left, and the Hearts of his People; 'which, with God's Blessing, he doubts not, will 'recover all the rest.

'*Lastly*, If the Preservation of the Protestant 'Religion, the Defence of the Liberty and Law of 'the Kingdom, the Dignity and Freedom of Par- 'liament, and the Recovery and Relief of bleed- 'ing and miserable *Ireland*, be equally precious to 'the Petitioners, as they are to his Majesty, (who 'will have no Quarrel but in Defence of these) 'there will be a chearful and speedy Consent to 'what his Majesty hath now propounded and de- 'sired.

'And of this his Majesty expects a full and po- 'sitive Answer by *Wednesday* the 27th Day of *July* 'Instant; till when he will not make any Attempt 'of Force upon *Hull*, hoping in the Affection, Du- 'ty, and Loyalty of the Petitioners; and, in the 'mean Time, expects that no Supply of Men be 'put into *Hull*, or any of his Majesty's Goods 'taken from thence.'

Lord *Clarendon* adds, 'That when his Majesty's Answer (which had before been consented to, and approved in the full Assembly of the Peers and Counsellors) was read publickly, it was generally thought that the King had not enough resented the Insolence and Usurpation of the Parliament, or appeared sensible enough of the Provocation; yet the Thought of a War, which wise Men saw actually levied upon the King already, was so much abhor-

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red, and Men were so credulous of every Expedient which was pretended for Peace, that, by the next Morning, (the Answer being delivered in the Evening) these active Messengers for the Parliament persuaded many, 'That the King's Answer was too 'sharp, and would provoke the Houses, who were 'naturally passionate, to proceed in the high Ways 'they were in; whereas, if the King would abate 'that Severity of Language, and would yet take off 'the Preamble of his Answer, they were confident, 'and the Earl of *Holland* privately offered to undertake, that Satisfaction should be given to all 'that his Majesty proposed.' And, by this Means, some were so far wrought upon, as they earnestly importuned the King, 'That he would take his 'Answer, which he had publickly delivered the 'Night before, from the Messengers; and, instead 'thereof, return only the Matter of his own Propositions, in the most soft and gentle Language, 'without the Preamble, or any Mention of the unjustifiable and unreasonable Demeanour of the Parliament towards him.' (n)

The King advised to soften his Answer.

His Reasons for refusing to do so.

But his Majesty replied, 'That he had for a 'long Time, even after great Provocations, and 'their first general Remonstrance to the People, 'treated with all imaginable Compliance and Lenity of Words with them; and discovered their 'unjustifiable and extravagant Proceedings with and 'against him, and the Consequences that would inevitably

(n) The Noble Historian tells us, in another Place, 'That the Earl of *Holland*, having been nothing pleased with his own Condition at *London*, finding the Earl of *Essex* (whom he did not secretly love, and did indeed contemn) to draw all Men's Eyes towards him, and to have the greatest Interest in their Hearts, he had seriously intended, under Colour of this Message to the King, to discover if there were any Sparks yet left in his Royal Breast, which might be kindled into Affection, or Acceptation of his Service; and hoped, if he could get any Credit, to redeem his former Trespasses: But when he not only found his Majesty cold towards him, but easily enough discerned, by his Reception, that all former Inclinations were dead, and more than ordinary Prejudices grown up towards him in their Places, and that his Advices were rejected, he returned with Rancour equal to the most furious he went to; and heartily joined and concurred towards the suppressing that Power in the Administration whereof he was not like to bear any Part.' *Vol.* II. *p.* 696.

'evitably attend their Progreſs in them, with ſuch tender Expreſſions as if he believed whatever was amiſs to proceed from Miſinformation only, and unſkilful Miſtakes: That this Gentleneſs and Regard of his was ſo far from operating upon them, that their Inſolence and Irregularities increaſed; and it might be from that Reaſon that their Meſſages and Declarations were writ in ſo high a Dialect, and with that Sovereignty of Language, as if he were ſubject to their Juriſdiction; and did not know but it might have ſome Influence upon his People to his Diſadvantage; that is, raiſe Terror towards them, and leſſen their Reverence towards his Majeſty, when all their Petitions and Propoſitions were more imperative than his juſt and neceſſary Refuſals: Which Condeſcenſion his Majeſty had brought himſelf to, in hope that his Example, and their natural Shame, would have reformed that new Licence of Words: That this laſt Addreſs, under the Name of a Petition, (a few Days after they had violently raviſhed his whole Fleet from him, and prepared the ſame Day that they had choſen a General, to whom they had ſworn Allegiance, to lead an Army againſt him) contained a peremptory Juſtification of whatſoever they had done, and as peremptory a Threatning of whatſoever they could do; and therefore, (if he ſhould now retract his Anſwer, which had been ſolemnly conſidered in Council before all the Peers; and which, in truth, implied rather a Princely Reſentment of the Indignities offered to him, than flow'd with any ſharp and bitter Expreſſions) he ſhould, by ſuch Yielding, give Encouragement to new Attempts; and could not but much diſcourage thoſe upon whoſe Affections and Loyalty he was principally to depend, who could not think it ſafe to raiſe themſelves to an Indignation on his Behalf, when he expreſſed ſo tender or ſo little Senſe of his own Sufferings: Beſides, that he was then upon an avowed hoſtile Enterprize for the Reduction of *Hull*; towards which he was to uſe all poſſible

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'Means to draw a Force together, equal to that 'Design; and by such a Retraction as this pro- 'posed, and a seeming Declension of his Spirit, and 'depending upon their good Natures who had done 'all this Mischief, he should not only be inevitably 'disappointed of the Resort of new Strength, but, 'probably, deserted by those few whom he had 'brought together: That he could not reasonably, 'or excusably, depend upon the Undertaking of the 'Earl of *Holland*, who had so grosly deceived him 'in other Undertakings, which were immediately 'in his own Power to have performed; whereas 'neither he, nor either of the other two Gentle- 'men who were joined with him in this Employ- 'ment, had so much Interest with the active and 'prevailing Party, as to know more of their Inten- 'tions than was at present necessary to be disco- 'vered for their Concurrence.'

He said, 'That he had never yet consented to 'any one Particular since the Beginning of this 'Parliament, by which he had received Prejudice, 'at the Doing whereof he had not the solemn Un- 'dertakings and Promises of those who were much 'abler to justify their Undertakings than the Earl of '*Holland*; and upon whom he only depended, that 'it should be no Disservice to him, and would be 'an infallible Means to compass all that his Majesty 'desired: But he had always found those Promisers 'and Undertakers, though they could eminently 'carry on any Counsel, or Conclusion, that was 'against Law, Justice, or his Right, had never 'Power to reduce, or restrain, those Agitations 'within any Bounds of Sobriety and Moderation: 'And when they found that many would not be 'guided by them, that they might seem still to lead, 'themselves as furiously followed the others, and 'resorted again to his Majesty with some new Ex- 'pedient as destructive as the former: So that he 'was resolved to rely upon God Almighty, and 'not so much to depend upon what might possibly 'prevail upon the Affections of those from whom, 'reasonably, he could not expect any Good, as

'upon

'upon ſuch plain and avowed Courſes, as, let the 'Succeſs be what it would, muſt, to all judging 'Men, appear to be prudently and honourably 'relied on: And therefore he poſitively refuſed to 'make the leaſt Alteration in his Anſwer.' An. 18. Car. I. 1642. July.

But to return to the Parliament:——

The Judges required to publiſh the Illegality of the King's Commiſſion of Array.

The ſame Day (*July* 20) that the Lords received the foregoing Letter from the Earl of *Holland*, an Order was made, and agreed to by both Houſes, againſt the Commiſſion of Array, which was to be publiſhed by the Judges, in their ſeveral Circuits, at the approaching Aſſizes. But it contains no more than a Declaration of the Illegality of that Commiſſion; and an Inhibition to all Sorts of People from putting the ſame in Execution, under Pain of being eſteemed Diſturbers of the Peace, and Betrayers of the Liberty of the Subject.

The Lords being all ſet in their Robes, and the Houſe of Commons, with their Speaker, come up, he ſaid, 'The Knights, Citizens, and Burgeſſes of the Houſe of Commons, having impeached *Spencer* Earl of *Northampton*, *William* Earl of *Devonſhire*, *Henry* Earl of *Dover*, *Henry* Earl of *Monmouth*, *Charles* Lord *Howard* of *Charlton*, *Robert* Lord *Rich*, *Charles* Lord *Grey* of *Ruthyn*, *Thomas* Lord *Coventry*, and *Arthur* Lord *Capel*, for High Crimes and Miſdemeanors, to the Interruption of the Proceedings of Parliament, and Diſturbance of the Peace of the Kingdom, the Houſe of Commons had commanded him to demand their Lordſhips Judgment thereupon. Then the Lord *Kimbolton*, Speaker of the Houſe of Lords for that Day, pronounced Sentence againſt the ſaid Nine Lords, as follows: °

The Sentence pronounced upon the Nine impeached Lords then at *Yor*

1. *That they ſhall not ſit, or vote, in the Lords Houſe during this preſent Parliament.*

2. *That they ſhall not enjoy the Privileges of Parliament as Members thereof.*

° Ever ſince the Lord-Keeper *Littleton* left the Houſe of Lords, the Speaker's Place was filled by ſome one of the Peers preſent.

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3. *That they shall stand committed to the* Tower *during the Pleasure of the House.*

July 21. The Sheriffs of *London* acquainted the Lords, That divers Proclamations were sent to them to be proclaimed; and, the Lord Mayor being committed, they thought it their Duty to receive the Directions of the House therein, for they cannot proclaim them, because the Mace is with the Lord Mayor. The one was the King's Proclamation, declaring his Purpose to go in Person to *Hull*. The other against the Parliament's seizing the Magazines of the Counties. Ordered, That these Proclamations be left with the Clerk of Parliament; and that Thanks be given to the Sheriffs for bringing in those Proclamations; and they were commanded to do so for the future.

Further Proceedings against the Lord Mayor of *London*.

A Certificate from the Aldermen of *London*, concerning the Election of a *Locum-tenens*, in the room of the Lord Mayor, was presented and read, importing, 'That they had met together according to the Direction, and on the Day prefixed by the House; and that having called unto them the City Counsel, and others experienced in the Customs and Charters of the said City, and, after diligent Search of their Records, they did humbly certify, That it did not appear that ever, at any Time, the Aldermen had made Choice of a *Locum-tenens* to execute the Office of a Lord Mayor: But they found, That, in the Time of a Lord Mayor's Sickness, he being within the Franchise, there had been a *Locum-tenens* appointed by himself, the Sword still remaining with him; all which they humbly presented, *&c.*' Signed by fifteen Aldermen.

July 22. The Lord Mayor was brought again before the Lords; and a Committee of the Commons being come up, as Managers against him, Mr. Serjeant *Wylde* desired, in Behalf of the whole House of Commons, that the two Impeachments of him might be read; and, after reading the Lord Mayor's Answers to them, the Serjeant proceeded and said,

'That

'That this Lord Mayor was a Perſon great and eminent, and of great Power and Authority in his Place; that he was one of the greateſt Offenders of all his Predeceſſors, and was a great Burden and Nuſance to the Commonwealth: That he had practiſed and attempted thoſe Arts which tended to the Undoing of the City, and therein the Kingdom. The Matter of Impeachment was ſo great, that it could not be raiſed higher. He knew there was a Vote in this Houſe, declaring, That the Commiſſion of Array was illegal, and of dangerous Conſequence; yet he commanded it to be, contemptuouſly and ſeditiouſly, proclaimed.

'The Matter of the ſecond Charge was, Endeavouring and countenancing a Counter-Petition againſt ſettling the Ordinance for the Militia, tho' it was conſented to by the Common Council and himſelf; yet he drew in others, ill-affected, to petition the King and both Houſes againſt it, to ſet a Diviſion between the King and his People.

'He, ſeeking to ſuppreſs an honeſt and good Petition for the Militia, got it into his Hands; and, on a *Sunday*, committed ſome Perſons to Priſon, and vilified them with reproachful Speeches, impriſoning others in his own Houſe. That,

'When there were Riots in *Cheapſide*, he refuſed to keep the Peace, and cauſed Perſons to be beat there; and ſuffered thoſe that called themſelves *Defenders of the Croſs*, to commit Tumults, without any Puniſhment.

'That he had neglected the Statute of *Hen.* IV. concerning the Riots, contrary to his Oath as Lord Mayor and a Juſtice of the Peace: That he kept the Examinations, in this Cauſe, himſelf, and would not publiſh them to thoſe that deſired it.

'And, *laſtly*, he refuſed to call a Common Council in *London*, notwithſtanding he was required to do it by Order of both Houſes of Parliament.'

Then the Serjeant proceeded to call two Witneſſes, two of the Lord Mayor's Officers, to prove he gave Orders to publiſh the Proclamation concerning the Commiſſion of Array, after the Votes of Parliament

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'That the Lord Mayor did give Directions for the Drawing and Framing of the Petition against the Militia Ordinance; which was after the same was given to the City, and accepted by them; which was to set Division between the King and Parliament. To prove this the Serjeant desired, That the Deposition of Mr. *Thomas Wiseman*, taken formerly before the Committee of both Houses, in Mr. *Benyon*'s Cause, might be made Use of; Affidavit being made, on Oath, That he had been served with an Order, of this House, to appear this Day, but he was gone out of Town.'

On this Mr. *Herne*, Counsel for the Lord Mayor, objected against the Reading of the said Deposition, being taken in another Cause; and thereby they would lose the Benefit of Cross-Examination. The Committee of the Commons excepted against the Pleading of Counsel, at the Bar, to confront the said Committee, who did represent the whole House, without asking Leave. Upon which the Counsel desired their Lordships Directions how they should demean themselves. Both Sides being ordered to withdraw, whilst the Lords debated this Matter; and, being called in again, Mr. *Herne* was told, 'That the House took it not well that he should interrupt the Members of the House of Commons, without asking Leave of this House; and that he take Warning of it for the future.'

Then the Committee of Commons were told, 'That the Lords had deferred the further Hearing of this Cause till *Monday* next the 25th Instant; at which Time the Witness, Mr. *Wiseman*, was to be produced, *viva Voce*, else the Lords would proceed therein.'

July 23. Many were the Indemnities granted by Parliament, about this Time, to Counties, and some particular Cities, Towns, and Persons, for executing their Ordinance of Militia with Vigour, notwithstanding

withſtanding the King's Commiſſion of Array, and his poſitive Inhibitions to the contrary. And An. 18. Car. I. 1642. July.

This Day a Copy of a Letter from the King to the Honourable *Henry Haſtings*, Eſq; High Sheriff of the County of *Leiceſter*, was read; wherein, after giving him Thanks for his faithful Endeavours to preſerve his Majeſty's Royal and Legal Authority, he enjoins him to uſe his Power in apprehending the Earl of *Stamford*; who, he ſaid, by Force, and under Pretence of Authority, by the pretended Ordinance of the two Houſes of Parliament, had ſurprized all, or Part, of the Magazine of Munition belonging to the County of *Leiceſter*, and keeps the ſame by Force; which was actually levying War againſt his Majeſty; and therefore he could not account him, and his Adherents, other than Traitors, *&c.* The Earl of *Stamford* declar'd a Traitor by the King;

Next, a Warrant from the ſaid High Sheriff, for the Purpoſes above, was read; and then an Indemnification of the Earl of *Stamford*, and all ſuch as ſhould be aſſiſting to him, was agreed to by both Houſes, and ordered to be printed and publiſhed. But indemnified by the Parliament.

This Day the Earl of *Holland* acquainted the Lords with the Execution of his Commiſſion to the King at *Beverley*, with the laſt Petition of the Parliament, and his Majeſty's Anſwer, as before-mentioned. His Lordſhip added, 'That the King gave him no Anſwer concerning the paſſing of ſome Bills, which he had delivered to him: That his Majeſty had then 3000 Foot and 3000 Horſe at his Command; but that a Squadron of the Earl of *Warwick*'s Fleet being come into the *Humber*, had given the Townſmen much Heart; and that Sir *John Hotham* was very careful to preſerve the Town.' State of the King's Forces at this Time.

Hereupon it was ordered, 'That the Lord-General ſhould purſue his Levies, with all the Vigour and Speed he can, for the Safety of the King and Kingdom, and Defence of the Parliament.'

July 25. The Lord Mayor was this Day brought again to the Bar, the Committee of the Commons being

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being preſent; when Serjeant *Wylde* proceeded upon the Article in the ſecond Impeachment, concerning a Petition which the Lord Mayor had a Hand in contriving, againſt the Ordinance for the Militia. And another Affidavit was made, That Mr. *Wiſeman* was not in Town, but ſuppoſed to be gone to *York*; therefore it was deſired that his Examination, formerly taken before a Committee, concerning this Cauſe might be read, becauſe it was ſuſpected he was ſent away by the Lord Mayor. Then his Lordſhip was aſked, What he had to ſay why this Examination ſhould not be read? he anſwered, He deſired to be heard by his Counſel. The Lords then ordered, That this Evidence might be reſerved, and the Committee to go on with the reſt.

Proceedings on the ſecond Impeachment againſt the Lord Mayor of *London*.

Then the Serjeant proceeded to another Article, for ſuppreſſing a Petition of the 'Prentices to both Houſes, concerning the Militia; and in keeping ſome Priſoners, in his own Houſe, on a *Sunday*. For Proof of this *William Goff* depoſed, 'That, on a *Sunday*, when he and eleven other 'Prentices were getting Hands to the Petition, a Citizen took it out of their Hands and carried it to the Lord Mayor; who aſked them What ſuch Fellows as they ſhould do with Petitions? He would make them ſmart for it. They told him, They did nothing contrary to Law. He aſked them, How they came to be ſo ſkilful in the Law; gave them reviling Speeches; committed them to Priſon on a *Sunday*, and would not let them go to Church.'

John Carter and *Richard Arnold* depoſed to the ſame Purpoſe.

The Lord Mayor's Counſel aſking Leave to croſs-examine theſe Witneſſes, they were told, That when all the Evidence for the Commons was ended, the Witneſſes ſhould attend, and then they might aſk them ſuch Queſtions as they thought fit.

The Committee proceeded next to the fourth Article, concerning the Riot in *Cheapſide*; which the Lord Mayor refuſed to ſuppreſs, denied the Examinations taken in that Cauſe, and refuſed to bind over the Offenders to the Seſſions; which was an

Act

Act of Injuſtice. To prove the Riot, three Witneſſes were called, who ſaid 'That about Four in the Afternoon, on *Candlemas-Day* laſt, in *Cheapſide*, an hundred People fell upon them, and beat and kicked them, and called them *Roundheads* and *Browniſts*; they were but three of them in Company, and they gave them no Occaſion: That the Conſtable would not aſſiſt them; and they going afterwards to the Lord Mayor, he took their Examinations, but would not get them taken up, nor bound over to the Seſſions.' Other Witneſſes depoſed, That they went to the Lord Mayor, to deſire him to take ſome Courſe to ſuppreſs Tumults; but, he ſaid he had no Power, but ſent them to the Committee at *Guildhall*, who were forced to ſend ſome of the Train'd Bands.' Others ſaid, 'That the Rioters threatened to pull down ſome of their Houſes: That they marched with Arms, and would have made one Man kneel to the Croſs; and when they complain'd to the Lord Mayor, he aſk'd, Whether their Party was not ſtrong enough? And ſaid, the Authority over the Train'd Bands was taken from him; and bid them go to the Committee: That the Lord Mayor entertained the Offenders in his Cellar, and they were conveyed away by ſome of his Servants; and he laughed upon and countenanced them; and bid them ſtand for the Croſs, and he would bear them out in it, *&c.*'

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After the Committee had gone through with their Witneſſes, the Serjeant made a Recapitulation of the whole Evidence which had been delivered; and, afterwards, the Lords ordered, That all Witneſſes, *&c.* ſhould attend the next Morning at Nine, when their Lordſhips would proceed in this Cauſe. Accordingly,

July 26. The Committee of the Commons being come up, and the Lord Mayor brought to the Bar, Serjeant *Wylde* open'd the fifth Article againſt him, which was for a Contempt, in not calling a Common Council in *London*, according to the Order of both

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both Houſes, for placing the Magazine, that came from *Hull*, in convenient Places in the City. To prove which theſe Witneſſes were examined:

Sir *Thomas Atkins*, Alderman, ſaid, 'That an Order of both Houſes came to the Committee for the Militia, to lay up the Arms, *&c.* and to that End a Common Council was to be called: That he and others repaired to the Lord Mayor, and ſhewed him the Order; who ſaid he would acquaint the Aldermen with it; but no Common Council was called till ten Days after.' Alderman *Normington* and one *Ruſſel* depoſed to the ſame Effect.

Next he proceeded to his Proofs, That the Mayor had a Hand in contriving a Counter-Petition againſt the Ordinance of Parliament, and procured Hands to it. The Witneſſes for this were

Henry Daviſon, who ſaid, 'That he received a Paper from my Lord Mayor, who bid him carry it to the Recorder; which he accordingly did: That the Recorder liked it well, and afterwards he carried it to Mr. *Benyon* and Mr. *Gardner*.' The Petition being read, he confeſſed, 'He believed it the ſame; and that he was entreated by ſome Gentlemen to write ſome Names, that were to be ſent to for ſubſcribing the Petition; but he could not remember who gave him the Directions.

Richard Ferriby ſaid, 'He had the Note of Names from one *Nevil*; but knew not the Names in it, nor the Buſineſs; Mr. *Benyon* was there when he read the Note.'

Robert Mitchel ſaid, 'He knew nothing of the Petition which was to be preſented to his Majeſty: That there were Directions given to Mr. *Wiſeman* for the drawing of a Petition to both Houſes: No Directions from the Lord Mayor, but by the Court of Aldermen.

Capt. *Ven*, another Witneſs, ſaid, 'That when he moved for the Settling the Militia, in the Common Council, he conceived that the Lord Mayor did decline it.'

The

The Evidence againſt the Priſoner being all gone through, the Serjeant, next, made a ſummary Recollection of the Proofs; and obſerved upon the ſeveral Actions of the Lord Mayor, according as they were in Time: As, firſt, the Counter-Petition againſt the Ordinance of the Militia, which was made by both Houſes, upon ſuch great Conſiderations and juſt Occaſions, meerly for the Safety of the King and Kingdom; and, in particular, having an Eye to the Safety of the City of *London*; but nothing done in it without a Committee of theirs, which ſhould conſent, and did conſent, to this Ordinance; only the Lord Mayor refuſed, becauſe it was his Deſign to make a Diviſion in the City: Therefore, he ſaid, the ſending of this Petition to divers to ſubſcribe, ſhew'd that he did it with a malicious Intention. An. 18. Car. I. 1642. July.

'The other Parts of the Charge, the Serjeant ſaid, were theſe, the 'Prentices Petition to Parliament, which the Lord Mayor got into his own Hands, kept it, and gave them ill Language, and impriſoned them; the Matter of the Riot; the not calling a Common Council according to Order of Parliament; and, laſtly, his Publiſhing the Proclamation for the Commiſſion of Array, *June* 25, after the Reſolution of both Houſes, concerning the Illegality of it, was both printed and publiſhed.'

Ordered the hearing of the Lord Mayor's Counſel on *Thurſday* the 28th Inſtant.

Several more particular Indemnities were ordered; and one general Indemnity for all thoſe Perſons that have or ſhall exerciſe or train themſelves, as Volunteers, was read and approved of. Both Houſes alſo agreed to appoint the Earl of *Pembroke* to be Lord-Lieutenant of the Counties of *Brecon*, *Monmouth*, and *Glamorgan*, in the room of the Lord *Philip Herbert*.

The ſame Day a Replication of the Lords and Commons aſſembled in Parliament, to his Majeſty's Anſwer

An. 18. Car. I. 1642. July. Anſwer to their Petition, ſent by the Earl of *Holland*, was agreed to, as follows:

The Parliament's Replication to the King's Anſwer to their Petition for Peace.

'THE Lords and Commons in Parliament (having taken into their ſerious Conſideration his Majeſty's Anſwer to their humble Petition for Peace, delivered by the Earl of *Holland*, Sir *Philip Stapylton*, and Sir *John Holland*, and the Demands which he is thereupon pleaſed to make concerning the preſent Delivery of the Town of *Hull*, the Magazine, the Navy, diſavowing the Ordinance of the Militia, the laying down of all Arms raiſed by Authority of the two Houſes of Parliament, and adjourning themſelves to ſome other Place) do beſeech his Majeſty to accept this their humble and juſt Excuſe, That they cannot for the preſent, with the Diſcharge of the Truſt repoſed in them for the Safety of the King and Kingdom, yield to thoſe Demands of his Majeſty.

'The Reaſon why they took into their Cuſtody the Town of *Hull*, the Magazine and Navy; paſſed the Ordinance of the Militia, and made Preparation of Arms; was for the Security of Religion, the Safety of his Majeſty's Perſon, of the Kingdom and Parliament, all which they did ſee in evident and imminent Danger; from which when they ſhall be ſecured, and that the Forces of the Kingdom ſhall not be uſed to the Deſtruction thereof; they ſhall then be ready to withdraw the Garriſon out of *Hull*, to deliver the Magazine and Navy, and ſettle the Militia by Bill, in ſuch a Way as ſhall be honourable and ſafe for his Majeſty, moſt agreeable to the Duty of Parliament, and effectual for the Good of the Kingdom, as they have profeſſed in their late Petition.

'As for adjourning the Parliament; they apprehend no Reaſon for his Majeſty to require it, nor Security for themſelves to conſent to it. And, as for that Reaſon which his Majeſty is pleaſed to expreſs, they doubt not but the uſual Place will be

'as

'as safe for his Royal Person as any other, consider- An. 18. Car. I.
'ing the full Assurance they have of the Loyalty 1642.
'and Fidelity of the City of *London* to his Majesty; July.
'and the Care which his Parliament will ever have
'to prevent any Danger which his Majesty may
'justly apprehend; besides the manifold Conveni-
'ences to be had there, beyond any other Parts of
'the Kingdom.

'As for the laying down of Arms; when the
'Causes which moved them to provide for the De-
'fence of his Majesty, the Kingdom, and Parlia-
'ment, shall be taken away, they shall very willing-
'ly and chearfully forbear any further Preparations,
'and lay down their Forces already raised.'

This Replication was sent to the King, then before *Hull*; but with no Solemnity of Messengers, or any other Ceremony than being inclosed to one of the Secretaries of State. It was also ordered to be printed; and likewise forthwith published in all Churches and Chapels, together with the said Petition and Answer.

There is in the *Lords Journals* of this Day, a Copy of a very loyal and bold Petition from some of the Nobility, and many of the Knights and Gentlemen of the County of *York*; which is not in the Collections of these Times, and which we give, as follows, from the former Authority:

To the Right Honourable the LORDS and COMMONS assembled in Parliament,

The HUMBLE PETITION and REMONSTRANCE of the NOBILITY and GENTRY of the County of *York*,

Sheweth,

THAT this County is extremely perplexed by reason of the public Acts of Hostility committed by Sir John Hotham *and the Garrison at* Hull, *to the great Disturbance of the Peace of this County, threatening* Petition from the Nobility and Gentry of *Yorkshire*, against Sir *John Hotham*.

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no less than the Ruin and Destruction of it. That the first putting a Garrison into that Town was pretended to be to defend it against the Papists at home, and the Invasion of foreign Enemies; since that Time the Gates have been shut against our Gracious Sovereign, and Entrance denied to his own Royal Person; several Persons have been thrown out of the Town, and expelled from their own Freeholds and personal Estates; some Part of the Country is drown'd by Sir John Hotham, *to the utter Ruin of many Families; Sallies have been made by armed Men, who have burnt and plundered Houses, and murdered their Fellow-Subjects, when we were confident of a Cessation, with all the Circumstances of Rage and Cruelty which uses to be contracted by a long and bloody War. After all this, his Majesty, who hath kept his Residence here with all the Demonstration of Care and Affection towards us, graciously forbears to lay any further Siege to that Place; and hath declared unto us, That, by no Act of his, this County shall be made the Seat of War; and yet, by the new Supply of Soldiers taken into* Hull, *and the late Actions there, (which we conceive to be manifestly against the Oaths of Supremacy and Allegiance, the Petition of Right, and the late Protestation) we have Cause to fear that some Violence is intended both against our Persons and our Fortunes. The Premises considered, we cannot but be infinitely jealous that Sir* John Hotham *cannot derive his Authority to commit such barbarous Acts of Hostility from the two Houses of Parliament, from whom we expect all the Effects of Happiness, Peace, and Preservation of our Laws and Liberties.*

We humbly desire, therefore, to know whether these Outrages are done by your Authority, and whether this County must be subject to that Garrison; that we may thereupon provide in such a Manner for our Safeties, that these Injuries, Violences, and Oppressions be no longer imposed upon us by our Fellow-Subjects; but that we may be all liable to the known Laws of the Land to which we were born, and which is the only Security and Evidence we have for our Lives and Fortunes.

These

These three Instances, amongst many others, of Sir John Hotham's *Acts of late, we thought fit to annex:* An. 18. Car. I. 1642. July.

1. *He stayed two Ships of* Hull, John Rawson *and* Watson *being Masters of them, and they laden with Cloth to the Value of near* 40,000 l. *contrary to the King's Pleasure and the Order of Parliament, and tending to the great Destruction of Trade.*

2. *A Gentleman of Quality,* Mr. Wright, *taken Prisoner since his Majesty's withdrawing his Forces from* Hull, *travelling from his House to* York.

3. *A Drummer of one of his Majesty's Captains taken and forced to march naked through* 300 *Musketteers, and whipped by each of them.*

Cumberland	William Ingilby
Fauconberge	Francis Darley
Savile	Edward Osborne
Edmund Cowper, *Mayor of York*	Jo. Storey
	Chr. Dawnay
Peter Middleton	John Ramsden
Robert Maude	William Robinson
Henry Bellasis	John Wolstenholme
William Savile	Mar. Langdale
William Pennyman	Jor. Metham
Henry Slingsby	George Butler
Thomas Danby	Richard Tempest
George Wentworth	Richard Sherburne
Thomas Ingram	John Savile
John Mallory	Francis Monckton
Richard Aldburgh	Tobias Jenkins
Francis Neville	J. Hopton
Godfrey Copley	John Dalston
Thomas Beaumont	Ni. Yarburgh
William Norton	William Armitage
John Copley	John Gibson
Francis Rookeby	John Wandesford
Christopher Wyvill	Francis Tindal
Thomas Hesketh	Richard Wyvill
Conyers D'Arcy	Richard Benson
William D'Arcy	Richard Butler
John Goodricke	Thomas Thornhill

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Chriſtopher Grant	Thomas Stringer
Richard Franck	Gilbert Gregory
Jo. Batty	Joſeph Hillary
Fra. Hermitage	Francis Jackſon
Fra. Burdett	Ja. Ellerker
Darcy Waſhington	George Rogers
John Hudſon	John Ackroyd
Mic. Fawkes	Robert Savile.

Ordered, That this Petition be communicated to the Commons, at a Conference.

July 27. Nothing done in the Houſe of Lords, being the Day of public Faſt.

Further Proceedings on the two Impeachments againſt the Lord Mayor.

July 28. A Petition of Sir *John Conyers*, Knt. Lieutenant of the Tower, was read, importing, 'That the Lords would pleaſe to ordain the Lord 'Mayor to pay, for Fees at his Entrance, and for 'Compoſition of Furniture for his Lodging, 140 *l.* 'and 25 *l.* a Week for his Diet with the ſaid Lieu-'tenant, or a Compoſition for his own Diet, ſuit-'able to a Man of his Place.' It ſeems the Lieutenant demanded Fees of the Lord Mayor as an Earl, and he refuſed to pay more than as a Knight. A Committee of Lords was appointed to examine into this Affair, and report the ſame to the Houſe.

The Hearing of the Lord Mayor's Defence put off to

July 29. And, on that Day, Serjeant *Wylde* being aſked by the Lords, Whether he had any further Evidence to give againſt the Lord Mayor, before his Counſel began, he deſired that Mr. *Wiſeman* might give his Teſtimony, *viva Voce*, and ſome more Witneſſes ſince diſcovered.

Thomas Wiſeman, upon Oath, ſaid, 'That he did know of three Petitions to the King and both Houſes of Parliament: That he had Orders from the Court of Aldermen for framing one, and the Words were put in his Mouth; that he ſhewed it to the City Counſel, and the Subſtance of it was agreed on in the Court of Aldermen by the Major Part. To his

his best Remembrance fifteen or sixteen Aldermen were present; it was subscribed by fourteen, and thirteen makes a Court. He knew not whether any Aldermen protested against the Petition; some did not agree to it, but the Major Part of the Court did allow it. Mr. *Wiseman* then desired that his former Examination might be read, for the better Help of his Memory, being six Months since it was taken; which was agreed to: Wherein he says, That, for the two first Petitions, there was Order given in the Court for making of them, but cannot remember the third, to the King, was so ordered. That he had Directions from the Lord Mayor and Mr. Recorder, and, as he conceives, from the Court of Aldermen, to send that Petition to the King, and he did send it inclosed to the Earl of *Dorset*; but his Lordship did not deliver it, because he thought it not fit.' An. 18. Car. 1. 1642. July.

Alderman *John Warner*, upon Oath, said, 'He did not remember any Motion was made for the Petition to be sent to the King; but that one against the Ordinance of Militia might be delivered to the Parliament. And the Question being put, Whether a Petition or no Petition? the Major Part were for it. That some did protest against the preferring of that Petition; he himself offered to do it and to leave the Court, but the Lord Mayor commanded him to stay; and that his Lordship did press and urge this Petition, to the best of his Remembrance.' Alderman *Atkins* testified again to the same Effect.

Then the Serjeant desired that two Orders might be read, made *January* 13 and *July* 1, for the Lord Mayor to call a Common Council when he should be required by the Committee; both which Orders he confessed he had Notice of.

Three Witnesses more deposed, 'That the Lord Mayor deferred calling a Common Council, tho' urged to it by them; and when it was called, he refused to put the Question concerning disposing of the Magazine from *Hull*; but said he would not do it, and took the Sword and went away.'

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Laſtly, Two more Witneſſes to the Riot ſwore, 'That a Man being brought before the Lord Mayor for ſaying *he would pull down the Croſs at Cheapſide*, his Lady ordered the Parties, that took him, to be made much of; and that one of them, drinking the Lord Mayor's Health, ſaid, *There were a Thouſand that would ſtand for the Lord Mayor and the Croſs.*'

The Serjeant having ended his Evidence for the Charge, the further Hearing of the Cauſe was deferred till the Afternoon of this Day; when all the Parties being again met, the Counſel for the Priſoner began with his Defence; and, firſt, concerning proclaiming the Proclamation for putting in Execution the Commiſſion of Array. Here it was

His Defence. argued, 'That the Fact was not proved to be done maliciouſly; and, if proved, yet it was no Crime. That no Proclamation was annexed to the Impeachment; nor no Proof made that the Proclamation was to put in Execution the Commiſſion of Array: For theſe Reaſons it was ſaid the Charge was not proved; and it was alledged the Lord Mayor was bound to do it by his Oath. Then the Writ was read, and Witneſſes produced to prove, That it had been the Duty and Cuſtom of the Lord Mayor of *London*, to publiſh all Proclamations that came from the King: *Proclamari fecit Proclamationes annexas.* And,

Firſt, Sir *Nicholas Raynton* ſaid, 'That the Lord Mayor did uſe to give Orders to proclaim Proclamations, directed to him and the Sheriffs, and never acquainted the Sheriffs with it.' Sir *John Garraway*, Sir *Edmond Wright*, and Mr. *John Latham* atteſted the ſame. Then the Lord Mayor's Counſel urged, That *Anno* 3. *Jac.* on a *Capias* to take the Counteſs of *Rutland*, it was adjudged, That the Sheriff was not to queſtion the Illegality of the Writ: That there had been no Vote againſt the Lord Mayor's proclaiming the Proclamation; and that the Declaration againſt the Illegality of the Commiſſion of Array was not publiſhed till after the Proclamation; the firſt being made *July* 1, and the latter not till the 6th;

both; nor was there any thing said what he should have pleaded, if, out of Parliament, he should have been questioned by the King for a Refusal.' An. 18. Car. I, 1642. July.

Next, The Prisoner's Counsel proceeded to the second Impeachment, about contriving, framing, and publishing some Petitions, which were false, scandalous, and seditious.

It was argued, 'That the original Petition itself was not annexed, but only a Copy: That Intentions were not punishable, unless it was in Treason. It was alledged, That there was no Proof that the Lord Mayor ever published, or procured any Hands to, that Petition which is annexed to the said Impeachment. That *Ferriby* deposed, The Lord Mayor was not present when *Nevile* gave him the Names of those he was to summon. It was further argued, That the Lord Mayor never knew of the presenting the original Petition to both Houses. He was charged with framing and contriving a Petition, but no Proof made that he had any Privity in it; neither did he see the Petition after *Davison* had shewed it to the Recorder; and only one Witness swore, He believed it was to the same Effect.

To prove all this, Mr. *Mitchell*, the Town Clerk, deposed, 'That an Order was made by the Common Council, that a Petition should be drawn to be presented to the House of Commons, concerning the Militia: That this Petition was made before the Ordinance for the Militia was passed.'

Mr. *Davison* said, 'He did not know that the Lord Mayor ever read the Paper carried to the Recorder.'

Mr. *Drake* said, 'He knew, by Relation from Mr. *Benyon*, that Mr. *Gardner* and Mr. *Benyon* drew the Petition, and sent it to the Recorder.'

Sir *John Pettyt* deposed, 'That he heard Mr. *Benyon* desire the Lord Mayor that his Man might carry the Petition to the Recorder, that it might receive the better Credit. And further said, That when the said Petition was brought and shewed to the Lord Mayor, he said he would not meddle with it.'

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Alderman *Garraway* said, 'That the Court of Aldermen disavowed this Petition, and would not own it; and this was with unanimous Consent; neither did any Alderman sign it.'

Concerning the imprisoning of certain 'Prentices, and taking away their Petition, *William Goff* deposed, 'That he knew not who took away the Petition, but had heard Alderman *Atkins* took it away.' The Petition being shewn him, he confessed he subscribed a Petition to the same Effect.'

Alderman *Atkins* said, 'He took this Petition out of their Hands on a *Sunday* Morning, at St. *Michael's* Church, in *Cornhill*, because it was an unfitting Place to sign Petitions.' The Petition being read, the Alderman added, 'That he brought that Petition to the Lord Mayor, and the 'Prentices came to him to demand it: That they were not imprisoned; but sat by the Fire, and the Door was open.'

Sir *Thomas Cheek* deposed, 'That six or eight 'Prentices were brought in to the Lord Mayor, to demand their Petition; That the Lord Mayor went to Church; and he did not hear any Menace from his Lordship, nor any Word of Commitment.'

Sir *John Pettyt* said, 'There were about twelve 'Prentices let into the Parlour.' *John Birch*, the Porter, said, 'He let in about the same Number, and they went into the Parlour; the Lord Mayor went to Church; and many People came to the Gate and pressed upon it: That the 'Prentices sat by a Fire, and the Doors were opened that they might have gone out if they would.'

Other two Witnesses deposed, 'That the 'Prentices were willing to stay while the Lord Mayor was at Church: That about 200 were at the Gate, and the Bar of the Gate was broken.'

Ordered, That the further Hearing of this Cause be deferred to the next Morning, and all the Witnesses to attend as before. But,

July 30. Some other Business intervening, the Trial was deferred to the first of *August*.

Thus

Thus ſtood Affairs at the End of the Month of *July*, 1642; the Parliament had declared all thoſe that acted in the Commiſſion of Array Traitors, and ordered them to be apprehended. And the King proclaimed the Earl of *Eſſex*, and all the Colonels and Officers of his Army, who ſhould not, inſtantly, lay down their Arms, Rebels and Traitors. 'This, ſays *Whitlocke*, was an unhappy Situation for the poor Country; none knowing what to do, or whom to obey, nor what would be the Conſequence of theſe Thwartings between the great Powers and Authorities of King and Parliament:' But, this Month, the Maſque was taken off on both Sides; open Declarations of War were made by each Party; two great Armies in the Field, and ready to engage in a War; which, in the End, proved deſtructive to the King, the Parliament, and the Kingdom. An. 18. Car. I. 1642. Auguſt.

Auguſt 1. The Lords did not proceed in the Trial of the Lord Mayor on this Day; but, after reading a Letter from the Earl of *Warwick*, with one incloſed from the famous *Dutch* Admiral, *Van Trumpe*, relating to the Seizure and Searching of ſeveral *Engliſh* Ships, on the Coaſt of *Flanders*, for contraband Goods, the Lords took next into Conſideration a new Ordinance of Parliament, ſent up by the Commons, concerning the Subſidy of Tonnage and Poundage. This being read, and put to the Queſtion, it was reſolved, That this Houſe agrees with the Commons therein; the Lord *Spencer* only diſſenting. Which Ordinance of Parliament, being on a new Principle, declaring their own Aſſumption of this antient Subſidy of the Crown, we ſubjoin in its own Words from the *Lords Journals*.

An Ordinance of Parliament for levying of Tonnage and Poundage.

'THE Lords and Commons now aſſembled in Parliament, taking into Conſideration the great Perils and Dangers that may enſue, not only to this Kingdom, but likewiſe unto that of *Ireland*, eſpe-

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'especially in these Times of apparent Danger, far 'exceeding all former Times, either of his Majes- 'ty or of his Royal Father King *James*; and ta- 'king into further Consideration the great Debt 'now due unto the Navy, as well before the Be- 'ginning of this Parliament as since, amounting to 'the Sum of 200,000*l.* and that 52 Ships of War 'are now in the actual Service of this Kingdom, as 'well for the Defence thereof as of *Ireland*; and 'not knowing what other Supply of Ships and of 'Store will be further requisite in these Times of 'Danger; and well knowing that they cannot be 'maintained without great Sums of Money, nor 'the said great Arrears satisfied by any Monies al- 'ready collected or owing by Merchants for the 'Time past:

'And, foreseeing the Danger and Necessity of the 'Supply, did, long before this Time, prepare a new 'Book of Rates, which passed both Houses, now 'ordered to be published; wherein they had as well 'an equal Respect to the Ease of the Merchants, 'as to the raising of such Sums of Money as might 'be proportionable to those Supplies; and did like- 'wise prepare and pass a Bill of Tonnage and Poun- 'dage, whereby the Book of Rates is confirmed; 'which Bill they have likewise ordered to be print- 'ed and published; which, after it had passed both 'Houses, was, upon the 29th of *June* last, sent 'to his Majesty at *York* for the Royal Assent; 'which his Majesty not having passed, the Lords 'and Commons did, upon the 14th Day of *July* 'last, command the Earl of *Holland*, Sir *John* 'Holland, and Sir *Philip Stapylton*, (by whom 'they did send their late Petition to his Majesty) in 'the Name of both Houses, to move his Majesty 'to give a speedy Passage to that Bill, whereunto 'his Majesty hath given no Answer at all. And 'whereas the former Bill of Tonnage and Poundage 'did determine the first Day of *July* last, since 'which Time no Monies intended to be raised 'by this last Bill have been collected; now the

'said

'said Lords and Commons, having taken the Pre- An. 18. Car. I.
'miſes into due and ſerious Conſideration, for pre- 1642.
'venting the inevitable Dangers that muſt neceſſa- August.
'rily enſue, without timely Prevention in that Be-
'half, have thought good to make this their Decla-
'ration to all his Majeſty's loving Subjects.

1. 'Whereas by an Act made this preſent Par-
'liament, intitled, *An Act for the Relief of the Cap-*
'tives taken by the Turkiſh, Mooriſh, *and other Pi-*
'rates, and to prevent the taking of others in Time to
'come, all Merchants, as well Denizens as Aliens,
'for any Goods exported or imported, from the
'tenth Day of *November*, 1641, during the Term
'of three Years then next enſuing, are to make
'due Entries of all ſuch their Goods in the Port of
'*London*, and all other his Majeſty's Ports within
'the Realm of *England* and Dominion of *Wales*,
'upon the Penalties of the Forfeiture of the ſaid
'Goods:

'Now the ſaid Lords and Commons do enjoin
'all Merchants, as well Denizens as Aliens, to
'make due Entry of all ſuch Goods and Merchan-
'dize, as they ſhall, during the Continuance of the
'ſaid Act, export and import. And, to the Intent
'that the Entries may be accordingly made, they
'do expect that the Cuſtomers, Comptrollers,
'Searchers, and all other the Officers of the ſaid
'City of *London* and other the Ports reſpectively,
'do carefully attend the ſeveral Charges, and make
'due Seizure, as forfeited, of all ſuch Goods and
'Merchandize, as ſhall not be entered according to
'the Intent of that Statute.

2. 'That altho' the ſaid laſt Bill for Tonnage and
'Poundage hath not yet had the Royal Aſſent, and
'therefore the Subject, by the Law, is not compel-
'able to pay the Duty therein limited to be paid;
'yet the Premiſes and preſſing Neceſſities conſider-
'ed, the Lords and Commons do declare, That it
'ſhall be taken as an acceptable Service to the Com-
'monwealth, and a Manifeſtation of the good
'Affections to the Public, of all thoſe that ſhall,

'upon

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'upon the Entry of their Goods, advance and pay, 'by way of Loan, unto the Collectors or Commis- 'sioners, which now are or hereafter shall be named, 'or to their Deputy or Deputies, all such Sum or 'Sums of Money, as are payable by the last Book 'of Rates, and should have been due in case the 'said Bill had passed into a Law.

3. 'That every Merchant so advancing Money 'as aforesaid, shall have an Allowance, by way of 'Defalcation, of 15 *l. per Cent.* out of every 100 *l.* 'he or they shall so advance and pay, over and 'above all other Allowances made in the said Bill or 'Book of Rates, or either of them, and so out of 'every greater or less Sum after that Rate.

4. 'Whereas the Bill of Tonnage and Poundage, 'now remaining with his Majesty, cannot have the 'Force of a Law, without the further Concurrence 'of the Lords and Commons, in respect the Speak- 'er of the House of Commons, by and with the 'Consent of the said Commons, is to carry the said 'Bill into the Lords House for the Royal Assent; 'as also in respect that, in his Majesty's Absence 'from Parliament, his Majesty hath no Power to 'pass his Royal Assent unto a Bill, but by his Letters 'Patent under the Great Seal, and signed with his 'Hand, declared and notified to the Lords and 'Commons assembled together in the Higher House, 'as by a Statute made in the twenty-third Year of 'King *Henry* VIII. appeareth: Now the Lords and 'Commons, for the further Assurance of Merchants 'advancing Money as aforesaid, do promise and de- 'clare, That before they consent to the perfecting 'of the said Bill of Tonnage and Poundage, now 'remaining with his Majesty, or any other Bill of 'Tonnage and Poundage whatsoever, Provision 'shall be made that the said Allowance of 15 *l. per* 'Cent. shall be confirmed unto the said Merchants 'accordingly; and that they, their Heirs, Execu- 'tors, Administrators, and Assigns, shall be for 'ever acquitted and discharged of and from the Pay- 'ment thereof.

5. 'To

5. 'To the Intent that no Merchants do forbear to advance the ſaid Money by way of Loan, according as is hereby deſired, in Hopes that the Duties in the ſaid Bill ſhall not hereafter become payable from the firſt Day of *July* 1642, the Lords and Commons do declare, That no Bill of Tonnage and Poundage ſhall hereafter paſs in Parliament, but ſuch as ſhall relate and be in Force to compell all Merchants to pay for all Goods and Merchandizes, exported and imported, from the ſaid firſt Day of *July* 1642, on which Day the former Bill of Tonnage and Poundage expired; in which Bill there ſhall be that Clauſe of Forfeiture of the Value of all ſuch Goods as ſhall not be duly entered in the Cuſtom Houſe, from and after that Day, in ſuch Manner as in the ſaid Bill is expreſſed. An. 18. Car. I. 1642. Auguſt.

6. 'As to Merchants who ſhall not advance Money by Way of Loan, as aforeſaid, in regard of the preſent and preſſing Dangers and Neceſſities, the Lords and Commons do declare, That at what Time ſoever they ſhall conſent to the Paſſing of any Bill of Tonnage and Poundage, all ſuch Perſons, who ſhall not advance Money as aforeſaid, ſhall be charged to pay the Duties of Tonnage and Poundage from the ſaid firſt Day of *July* 1642, during the Term of the ſaid Bill, in ſuch Manner as by the ſaid Bill ſhall be provided.

7. 'That to the Intent no Officer belonging to any Cuſtom-Houſe within this Kingdom, or the Dominion of *Wales*, or other Perſons appointed to be Commiſſioners for receiving ſuch Money as ſhall be advanced by Merchants as aforeſaid, be diſcouraged, by reaſon of any Penalties mentioned in any former Act of Tonnage and Poundage paſſed this Parliament, from receiving any Duties upon Merchandize, not being granted by Parliament; although the Lords and Commons do conceive, and hereby declare, That the receiving of the ſaid Sums of Money before-mentioned is not within the true Intention of the ſaid Penalties, the ſame being advanced voluntarily, by way of Loan;

'as

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'as also in respect those Acts, and the true Intent 'of them, were principally to restrain the Crown 'from imposing upon the People without their Con- 'sent: Yet, for the further Encouragement of such 'Person, or Persons, who shall receive any such 'Sums, they do declare and promise, That before 'the said Bill of Tonnage and Poundage, now 'remaining with his Majesty, or any other, do 'pass for a Law, there shall be a Provision made, 'in such Bill, for the Indemnity and Security of all 'such Person and Persons in that Behalf.

8. 'That whereas, by a former Order of the 'Commons House of Parliament, the Officers ap- 'pointed for that Purpose have Orders to take 'Bonds of all Merchants for the Payment of One '*per Cent.* to be raised by Virtue of the aforesaid 'Bill, for the Relief of the Captives taken by the '*Turkish* or other Pirates, or so much thereof as 'shall be agreeed on by the Lords and Commons in 'Parliament: It is now ordered, That all such 'Merchants, as shall not advance Money by way 'of Loan as aforesaid, shall, at all Times hereafter, 'upon Entry of their Goods, make Payment of rea- 'dy Money for their said Goods, according to the 'Tenor of the said Bill; and likewise all such other 'Sums of Money as, by Virtue of the said Bill, are 'due from the said Merchants upon Bill, or other- 'wise, for Goods by them formerly entered since the '10th Day of *December*, 1641, by the true Intent 'of which Act the One *per Cent.* to be paid and re- 'ceived, is to be taken and received according to 'such Rates as were due and payable by the Bill of 'Tonnage and Poundage, which did last deter- 'mine.

9. 'The Lords and Commons do ordain, That 'the same Collectors or Commissioners, who have 'formerly received the several Duties upon Merchan- 'dize, upon the several Bills of Tonnage and Pound- 'age, passed by this Parliament, shall be, and are, 'deputed to be Commissioners, who are enabled by 'this Ordinance to receive all such Sum, or Sums, 'of Money, which shall, at any Time hereafter, be

'be voluntarily advanced by way of Loan, in such 'Manner as they have formerly received the former 'Duties of Tonnage and Poundage; which said 'Commiſſioners, their Deputy or Deputies, or any 'one of them, ſhall have full Power and Authority 'to give Allowance, by way of Defalcation, after 'the Rate of 15*l. per Cent.* out of all ſuch Monies 'as ſhall be advanced according to the true Intent 'of this Ordinance: All which Monies the ſaid 'Commiſſioners, their Deputy or Deputies, ſhall 'receive upon Account; and ſhall, from Time to 'Time, iſſue out of the ſame, as they, the ſaid 'Commiſſioners, ſhall be authorized by Order of 'the Lords and Commons in Parliament, or of ſuch 'other Perſon, or Perſons, as they ſhall nominate 'and appoint to be employed for the Uſes herein 'before expreſſed. An. 18. Car. I. 1642. Auguſt.

10. 'For the more due Execution of the Premiſes, and that an Account be juſtly kept of the 'Commiſſioners due Charge, the Cuſtomers and 'Comptrollers, as well of the City of *London* as 'the Out-Ports, are required, in every twenty-eight 'Days, to make a true Copy of all ſuch Entries as 'have been made in the ſeveral Ports reſpectively, 'and of the Monies payable by the ſaid Entries; 'and are to certify the ſaid Accounts, monthly, 'unto *William Soames*, Eſq; Surveyor-General in 'the Cuſtom-Houſe of *London*; who is likewiſe 'required to make up a perfect Account upon all 'the ſeveral Certificates, and to return the ſame 'unto the Commons Houſe of Parliament, or to 'ſuch Committee as ſhall be thereunto authorized 'by them.

'That for the better Direction as well of the 'Merchants, what is to be perform'd on their Parts, 'as of the ſeveral Officers of the Cuſtom-Houſe in 'the ſeveral Ports reſpectively: It is ordained, by 'the Lords and Commons now aſſembled in Parliament, That a true Copy of the ſaid Bill of 'Tonnage and Poundage, which hath paſſed both 'Houſes, and is now remaining with his Majeſty, 'ſhall be printed, and both it and the ſaid Book of

'Rates

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'Rates publiſhed, and ſent as well to the Officers 'of the Cuſtom-Houſe in the City of *London*, as 'unto the Officers of the Out-Ports reſpectively.

'*Laſtly*, For the Encouragement of Merchant-'Strangers, trading to the Port of *Dover*, to con-'tinue their Intercourſe of Trade, and the Impor-'tation of Bullion and foreign Coin: It is ordered, 'by the Lords and Commons, That the ſeveral 'Officers in that Port reſpectively ſhall and may, 'from Time to Time, give unto all Merchant-'Strangers the like Reſpect and Allowance in their 'Cuſtoms as they have formerly done.'

Aug. 2. This Day the Lords read a Declaration, brought up from the Commons, by Mr. *Denzil Holles*, ſetting forth the Grounds and Reaſons which neceſſitated the Parliament, at this Time, to take up defenſive Arms for the Preſervation of his Majeſty's Perſon, the Maintenance of the true Religion, the Laws and Liberties of this Kingdom, and the Power and Privilege of Parliament; which, with ſome Alterations and Amendments, was agreed to, and is as follows:

Their Reaſons for taking up defenſive Arms.

'WE the Lords and Commons in Parliament 'aſſembled, having taken into ſerious Con-'ſideration the preſent State and Condition of im-'minent Danger, in which the Kingdom now 'ſtands by reaſon of a Malignant Party prevailing 'with his Majeſty; putting him upon violent and 'perilous Ways, and now in Arms againſt us, to 'the hazarding of his Majeſty's Perſon, and for the 'Oppreſſion of the true Religion, the Laws and 'Liberties of this Kingdom, and the Power and 'Privilege of Parliament; all which every honeſt 'Man is bound to defend, eſpecially thoſe who have 'taken the late Proteſtation, by which they are more 'particularly tied unto it, and the more anſwerable 'before God, ſhould they neglect it: Wherefore, 'we (finding ourſelves engaged in a Neceſſity to 'take up Arms likewiſe, for the Defence of theſe, 'which, otherwiſe, muſt ſuffer and periſh; and ha-

'ving

'ving uſed all good Ways and Means to prevent An. 18. Car. I.
'Extremities, and preſerve the Peace of the King- 1642.
'dom, which good Endeavours of ours the Malig- August.
'nity of our Enemies hath rendered altogether ſuc-
'ceſsleſs and vain) do now think fit to give this
'Account unto the World, to be a Satisfaction un-
'to all Men of the Juſtice of our Proceedings, and
'a Warning unto thoſe who are involved in the
'ſame Danger with us, to let them ſee the Neceſſity
'and Duty which lies upon them to ſave them-
'ſelves, their Religion and Country; for which
'Purpoſe we ſet out this Declaration: [p]

'That it appears by the Anſwer which his Ma-
'jeſty hath given to the Humble Petition for Peace,
'preſented unto him by both Houſes of Parliament,
'and thoſe Demands which he makes, that the
'Deſign which hath been ſo long carried on to al-
'ter the Frame and Conſtitution of this Govern-
'ment, both in Church and State, is now come to
'Ripeneſs; and the Contrivers of it conceive them-
'ſelves arrived to that Condition of Strength, that
'they ſhall be able to put it in preſent Execution.

'For what elſe can be ſignified by the demand-
'ing of *Hull*, the Fleet, and the Magazine to be
'immediately delivered up; all our Preparations of
'Force to ceaſe, and the defenſive Arms of the Par-
'liament to be laid down, and the Parliament to
'be adjourn'd to another Place; than that we ſhould,
'out of the Senſe of our own Inability to make
'Reſiſtance, yield ourſelves to the cruel Mercy of
'thoſe

[p] In the Debate on this Declaration in the Houſe of Commons, Exceptions were taken to ſome Words, ſpoken by Sir *Symmonds D'Ewes*, as laying Aſperſions and Imputations upon the Committee that had brought it in, *viz.* 'That there were many Things in this 'Declaration, that were taken out of other Men's Pockets and 'Budgets, and before printed.' Whereupon he was commanded to withdraw, and it was reſolved that Sir *Symmonds D'Ewes* ſhould aſk the Committee Pardon for the Imputation laid upon them by theſe Words, and the Offence thereby committed againſt the Houſe; and that he ſhould receive Reprehenſion for it in his Place. He was accordingly reprehended by Mr. Speaker, who admoniſhed him to be more careful of his Expreſſions hereafter; and not to lay Imputations upon any particular Members, much leſs upon any Committee employed in the Service of the Houſe. *Commons Journals.*

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'those who have poſſeſſed the King againſt us, and 'incited him to violate all our Privileges, and re-'vile the Perſons and Proceedings of the Parliament? 'Or elſe, if (as it cannot be otherwiſe conceived) 'we do not grant what is ſo unreaſonable and de-'ſtructive, forthwith to bring on that Force which 'is prepared againſt us, by the Concurrence and 'Aſſiſtance of Papiſts, an ambitious and diſcontent-'ed Clergy, Delinquents obnoxious to the Juſtice 'of Parliament, and ſome ill-affected Perſons of the 'Nobility and Gentry; who, out of their Deſire 'of a diſſolute Liberty, apprehend, and would keep 'off, the Reformation intended by the Parliament.

'These Perſons have conſpired to ruin this Par-'liament, which alone hath ſet a Stop to that Vio-'lence ſo long intended, and often attempted, for 'the Alteration of Religion, and Subverſion of the 'Laws and Liberties of the Kingdom.

'How far we were plunged in a miſerable Expec-'tation of moſt evil Days, and how faſt this grow-'ing Miſchief prevailed upon us before this Par-'liament, needs not now be declared, it being ſo 'freſh and bleeding in every Man's Memory. Re-'ligion was made but Form and Outſide; and thoſe 'who made Conſcience to maintain the Subſtance 'and Purity of it, whether Clergy or others, were 'diſcountenanced and oppreſſed, as the great Ene-'mies of the State. The Laws were no Defence 'nor Protection of any Man's Right; all was ſub-'ject to Will and Power, which impoſed what 'Payments they thought fit, to drain the Subject's 'Purſe, and ſupply thoſe Neceſſities which their ill 'Counſels had brought upon the King, or gratify 'ſuch as were Inſtruments in promoting thoſe ille-'gal and oppreſſive Courſes. They who yielded 'and complied were countenanced and advanced, 'all others diſgraced and kept under; that ſo, Men's 'Minds made poor and baſe, and their Liberties loſt 'and gone, they might be ready to let go their Re-'ligion whenſoever it ſhould be reſolved to alter it; 'which was, and ſtill is, the great Deſign, and all

'elſe

'elſe made uſe of but as inſtrumentary and ſubſer- An. 18. Car. I.
'vient to it. 1642.

'When they conceived the Way to be ſufficient- Auguſt.
'ly prepared, they at laſt reſolved to put on their
'Maſter-piece in *Scotland*, (where the ſame Me-
'thod hath been followed) and more boldly to un-
'maſk themſelves, in impoſing upon them a *Popiſh*
'Service-Book; for well they knew the ſame Fate
'attended both Kingdoms, and Religion could not
'be altered in the one, without the other. God
'raiſed the Spirits of that Nation to oppoſe it with
'ſo much Zeal and Indignation, that it kindled ſuch
'a Flame, as no Expedient could be found but a
'Parliament here to quench it.

'This Neceſſity brought on this Parliament;
'and the ſame Neceſſity gave it, in the Beginning,
'Power to act with more Vigour and Reſolution
'than former Parliaments had done, and to ſet up-
'on a Reformation of the great Diſorders, both in
'the Eccleſiaſtical and Civil State; which drew a
'more particular Envy and Odium upon it, than
'was uſual to the Generality of Parliaments; and
'was a Cauſe that thoſe, who had ſwallowed up,
'in their Thoughts, our Religion and Liberties,
'and now ſaw themſelves defeated by this Means,
'bent all their Endeavours, and raiſed all their For-
'ces to deſtroy it.

'*Firſt*, Whilſt the *Scots* Army remained here,
'they endeavoured to incenſe the two Nations, and
'engage their Armies one againſt the other; that,
'in ſuch a Confuſion as muſt needs have followed,
'the Parliament might not be able to ſit; and thoſe
'Forces, deſtroying one another, might open ſome
'Opportunity for them to gain their Ends upon both
'Kingdoms; and that then as their Need, ſo the
'Being of the Parliament, might ceaſe; the Wiſ-
'dom of the Parliament prevented that Miſchief,
'and compoſed thoſe great Differences betwixt the
'King and the Kingdom of *Scotland*. That Plot
'failing, they endeavoured to turn the *Engliſh* Ar-
'my againſt the Parliament: This was diſcovered,
'the chief Actors fled, and the Danger avoided.

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'Then they labour to ſtir up the *Scots* Army againſt 'us; but ſuch was the Faithfulneſs and Affection 'of thoſe our Brethren, that they could not effect 'it.

'After this they carry the King into *Scotland*, 'to try if a Party could be there raiſed to ſuppreſs 'firſt the good Party in that Kingdom, and ſo com-'paſs their intended Purpoſe here. At the ſame 'Time the Rebellion in *Ireland*, an Egg likewiſe 'of their hatching, breaks out, but their Plot failed 'in *Scotland*; yet, upon Hopes of Succeſs there, 'ſuch Preparatives were here, and ſuch Recourſe of 'ill-affected Perſons to this Town, that the Parlia-'ment thought it neceſſary, for their own Security, 'to have a Guard. The King, upon his Return, 'inſtantly diſmiſſes that Guard, and puts another 'upon us; which produced ſuch ill Effects, as we 'were glad to diſmiſs them, and rather run any 'Hazard than have ſuch a Guard.

'Thus left naked, preſently ſome Members of 'both Houſes are unjuſtly charged with Treaſon; 'and the King comes with a Troop of Cavaliers to 'the Houſe of Commons, to fetch thoſe away by 'Force, whom he had cauſed to be ſo unjuſtly ac-'cuſed; the greateſt Violation of the Privileges of 'Parliament that ever was attempted, and ſo mani-'feſt a Deſtruction of the Right of the Subject, 'which is only preſerved by Parliament, that the 'City of *London* took a pious and generous Reſolu-'tion to guard the Parliament themſelves; which 'ſo grieved and enraged thoſe wicked Perſons, who 'had engaged the King in that laſt and all thoſe 'other Deſigns and Practices againſt the Parlia-'ment, that they make him forſake *Whitehall*, un-'der Pretence that his Perſon was there in Dan-'ger; a Suggeſtion as falſe as the Father of Lies 'can invent.

'Then do they work upon him and upon the 'Queen; perſuade her to retire out of the Kingdom, 'and carry him further and further from the Parlia-'ment; and ſo poſſeſs him with an Hatred of it, 'that they cannot put Words bitter enough into his 'Mouth

'Mouth to expreſs it upon all Occaſions: They 'make him croſs, oppoſe, and inveigh againſt all 'the Proceedings of Parliament; encourage and 'protect all thoſe who will affront it; take away 'all Power and Authority from it, to make it con- 'temptible and of leſs Eſteem than the meaneſt 'Court; draw away the Members, commanding 'them to come to him to *York*; and, inſtead of diſ- 'charging their Duty in the Service of the Parlia- 'ment, to contribute their Advice and Aſſiſtance 'to the Deſtruction of it; endeavour to poſſeſs the 'People that the Parliament will take away the 'Law, and introduce an Arbitrary Government; 'a Thing which every honeſt moral Man abhors, 'much more the Wiſdom, Juſtice, and Piety of 'the two Houſes of Parliament; and, in Truth, 'ſuch a Charge as no rational Man can believe, it 'being impoſſible ſo many ſeveral Perſons, as the 'two Houſes of Parliament conſiſt of, about ſix 'hundred, and in either Houſe all of equal Power, 'ſhould all of them, or at leaſt the major Part, agree 'in Acts of Will and of Tyranny, which make up 'an Arbitrary Government; and moſt improbable, 'that the Nobility and chief Gentry of this King- 'dom ſhould conſpire to take away the Law by 'which they enjoy their Eſtates, are protected from 'any Act of Violence and Power, and differenced 'from the meaner Sort of People, with whom, 'otherwiſe, they would be but Fellow-Servants.

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'To make all this good upon the Parliament, 'and either make the Kingdom believe it, or ſo 'awe it that Nobody ſhall dare ſay the contrary, 'Force is prepared, Men are levied, and the Malig- 'nant Party of the Kingdom, as was before ſpeci- 'fied, that is, Papiſts, the Prelatical Clergy, De- 'linquents, and that Part of the Nobility and Gen- 'try, which either fear Reformation, or ſeek Pre- 'ferment by betraying their Country to ſerve the 'Court, have combined to bury the Happineſs of 'this Kingdom in the Ruin of this Parliament; 'and, by forcing it to cut up the Freedom of Par- 'liament by the Roots, either take all Parliaments

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'away; or, which is worſe, make them the Inſtruments of Slavery, to confirm it by Law, and leave the Diſeaſe incurable.

'That done, then come they to crown their Work, and put that in Execution which was firſt in their Intention; that is, the Changing of Religion into Popery and Superſtition.

'All this while the two Houſes of Parliament have, with all Duty and Loyalty, ſtill applied themſelves unto his Majeſty; and laboured, by humble Prayers, and clear and convincing Reaſons and Arguments, in ſeveral Petitions, to ſatisfy him of their Intentions, the Juſtneſs of their Proceedings, their Deſire of the Safety of his Royal Perſon, and of the Peace of the Kingdom.

'And only to preſerve that Peace, and prevent the pernicious Practices of theſe Incendiaries, (ſuch as the Lord *Digby*, who at firſt perſuaded the King to get into ſome ſtrong Place, that he might protect thoſe whom he ſtiled the King's Servants; but, in Truth, ſuch as do divide him from his Parliament and Kingdom, and might be revenged upon his Parliament, where, he ſaid, that Traitors bare that Sway; who, in the mean Time, promiſed he would do him Service abroad; which, by his own Letters, appears to be the procuring of Supplies againſt the Kingdom and Parliament, with which he himſelf ſaid he would return; as ſince he hath done, diſguiſed, with Store of Arms, in the Ship called *The Providence* [q]; and who had attempted, upon the King's firſt going from *Whitehall*, to raiſe ſome Numbers of Horſe and Foot under the Colour of a Guard for his Majeſty, to

'be

[q] The Lord *Digby* was taken on board this Ship, in the Character of a *Frenchman*; and, under that Diſguiſe, pretending he could give Informations of the moſt private Circumſtances of the King's Deſigns, was introduced to Sir *John Hotham*; to whom he afterwards diſcovered himſelf; and even propoſed to him the Surrendering up of *Hull* to his Majeſty, which the Governor promiſed his utmoſt Endeavours to effect: But the Project, at this Time, proved abortive.——Lord *Clarendon* gives a very minute Account of this extraordinary Negotiation, but it is too long for our Purpoſe.

Vol. II. *p.* 705.

In the *Commons Journals* Notice is taken of a *Frenchman*'s being on board the Ship *Providence*, who was ordered to be ſecured.

'be the Foundation of an Army againſt the Parliament; which, then failing, hath ſince taken Effect, and ſhews what was then in their Thoughts, before *Hull*, or the Militia, or any Thing elſe of that Nature was in Queſtion) the Parliament thought fit to ſecure *Hull*, leſt it might be a Receptacle of ſuch ill-affected Perſons, and of what Aid could be gotten from foreign Parts; the Fleet under the Earl of *Warwick* to defend the Kingdom, and prevent ſuch Miſchief from abroad; the Magazine of Arms, that they ſhould not be employed againſt us; and the Militia of the Kingdom in ſuch Hands as the Parliament might confide in, to ſuppreſs Commotions within ourſelves. An. 18. Car. I. 1642. Auguſt.

'And how neceſſary all this was to be done, the 'ſucceeding Deſigns and Practices upon them do 'all ſufficiently manifeſt; and great Cauſe hath the 'whole Kingdom to bleſs God, who put it into the 'Heads and Hearts of the Parliament to take Care 'of theſe Particulars: For were theſe pernicious 'Perſons about the King Maſters of them, how 'eaſy would it be for them to maſter the Parliament, and maſter the Kingdom? And what could 'we expect but Ruin and Deſtruction from ſuch 'Maſters, who make the King, in this Manner, 'revile and deteſt us and our Actions? Such, who 'have embarked him in ſo many Deſigns to overthrow this Parliament? Such, who have long 'thirſted to ſee Religion and Liberty confounded 'together?

'Let the World now judge what more could be 'done by us, than we have done, to appeaſe his 'Majeſty, and regain his Grace and Favour, if '(after the preſenting of ſuch a Petition as the laſt 'was, ſo full of ſubmiſſive, humble, affectionate Deſires of Peace, ſo full of Duty and Loyalty, as we 'thought Malice itſelf could not have excepted 'againſt; and having received ſo ſharp a Return, 'ſuch Expreſſions of Bitterneſs, a Juſtification and 'avowed Protection of Delinquents from the Hand 'of Juſtice, Demands of ſo apparent Danger, ſuch 'Manifeſtations of an Intention to deſtroy us, and

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'with us the whole Kingdom; and this moſt clearly 'evidenced by their ſubſequent Actions, even ſince 'theſe Propoſitions have been made unto us from 'his Majeſty; over-running ſeveral Counties, com-'pelling the Trained Bands, by Force, to come 'in and join with them, or diſarming them, and 'putting their Arms into the Hands of leud and de-'ſperate Perſons; thereby turning the Arms of the 'Kingdom againſt itſelf) it be not fit for us, not 'only not to yield to what is required, but alſo to 'make further Proviſion for the Preſervation of our-'ſelves, and of thoſe who have ſent us hither, and 'intruſted us with all they have, Eſtates, Liberty, 'and Life, and that which is the Life of their Lives, 'their Religion; and even for the Safety of the 'King's Perſon, now environ'd by thoſe who carry 'him upon his own Ruin, and the Deſtruction of 'all his People, at leaſt to give them Warning that 'all this is in Danger; that if the King may force 'this Parliament, they may bid farewell to all Par-'liaments from ever receiving Good by them; and 'if Parliaments be loſt, they are loſt, their Laws 'are loſt, as well thoſe lately made, as in former 'Times; all which will be cut in ſunder with the 'ſame Sword now drawn for the Deſtruction of this 'Parliament.

'Then if they will not come to help the Parlia-'ment, and ſave themſelves, though both they 'and we muſt periſh, yet have we diſcharged our 'Conſciences and delivered our Souls; and we will 'look for a Reward in Heaven, ſhould we be ſo ill 'requited upon Earth, by thoſe of whom we have 'ſo well deſerved; which we cannot fear, having 'found, upon all Occaſions, ſuch real Demonſtra-'tions of their Love and Affection, and of their 'right Underſtanding and Apprehenſion of our and 'their common Danger; eſpecially now that the 'Queſtion is ſo clearly ſtated, and that it appeareth 'that neither *Hull*, nor the Militia, nor the Maga-'zine, are the Grounds of the War which is ſo fu-'rioufly driven on againſt us by a Malignant Party

'of

'of Papiſts, thoſe who call themſelves Cavaliers, An. 18. Car. I.
'and other ill-affected Perſons; but ſo far forth only 1642.
'as the Parliament, and all the Members of both Auguſt.
'Houſes, and all other Perſons who have ſhewed
'themſelves forward for the Defence of the Sincerity of Religion, the Laws and Liberties of the
'Kingdom, and the juſt Power and Privileges of
'Parliament, are preſerved and ſecured thereby.

'For the many Deſigns upon the Parliament
'above-mentioned, the Attempts to be poſſeſſed of
'*Hull* and of the Magazine, by ſending thither
'Capt. *Legge*, (a Delinquent to the Parliament for
'having had a Hand in the treaſonable Practice
'to bring up the Army againſt us) and the Earl of
'*Newcaſtle* in a diſguiſed Habit, which was in Purſuance of the Lord *Digby*'s Advice, and the Endeavouring to raiſe Forces under Pretence of a
'Guard to the King's Perſon in the Winter: All
'this, before we meddled with *Hull*, or the Magazine, or Militia, ſhew plainly that our Act in
'ſecuring them was not the Cauſe of the King's
'taking up Arms, and exerciſing Hoſtility upon his
'loving and loyal Subjects, which was in the
'Thoughts and Endeavours of thoſe about the
'King; who then had, and ſtill have, the greateſt
'Influence upon his Councils, before we thought
'of *Hull*, or the Militia, or any Thing elſe of that
'Nature; and then that our reſigning of them, now,
'would not prevail with him to make him lay down
'his Arms, and return to his Parliament, and gratify the earneſt and longing Deſires of his People,
'to enjoy his Preſence, Favour, and Protection:
'But that if he could recover, either by our Reſignation, or any other Way, a Place of ſo much
'Advantage to him, and Weakening to us, Uſe
'would be made of it to our infinite Prejudice and
'Ruin; the Intention being ſtill the ſame, not to
'reſt ſatisfied with having *Hull*, or taking away the
'Ordinance of the Militia; but to deſtroy the Parliament and be Maſters of our Religion and Liberties; to make us Slaves, and alter the Govern-
'ment

An. 18. Car. I. 1642. Auguſt.

'ment of this Kingdom, and reduce it to the Con-
'dition of ſome other Countries, which are not go-
'verned by Parliaments, and ſo not by Laws; but
'by the Will of the Prince, or rather of thoſe who
'are about him.

'Yet willingly would we give his Majeſty Satis-
'faction in theſe Particulars, (and ſo have we of-
'fered it) could we be ſecure that, by diſarming
'ourſelves, and delivering them up to his Majeſty,
'(as the Sword of Juſtice is already put into the
'Hands of divers Popiſh and other ill-affected Per-
'ſons, by putting them into the Commiſſion of the
'Peace, and other Commiſſions; and putting out
'others that are well-affected) we ſhould not, to
'our own Deſtruction, put the Military Sword in-
'to the Hands of thoſe evil Counſellors and ill-af-
'fected Perſons, who are ſo prevalent with his Ma-
'jeſty; Papiſts many of them, or very late Con-
'verts, by taking the Oaths of Supremacy and Al-
'legiance; for which they may very well have a
'Diſpenſation, or Indulgence, to be enabled there-
'by to promote ſo great a Service for the Popiſh
'Cauſe, as to deſtroy the two Houſes of Parliament,
'and, through their Sides, the Proteſtant Religion.

'But we have too juſt Cauſe to believe and know,
'conſidering thoſe continued Deſigns upon us, and
'the Compoſition of the King's Army and of his
'Council at this Time, that theſe Things are de-
'ſired to be made Uſe of to our Deſtruction, and
'the Deſtruction of that which we are bound, by
'our Proteſtation, to defend; and woe to us if we
'do it not, at leaſt do our utmoſt Endeavours in it,
'for the Diſcharge of our Duties and the Saving of
'our Souls, and leave the Succeſs to God Almigh-
'ty.

'Therefore we, the Lords and Commons, are
'reſolved to expoſe our Lives and Fortunes for the
'Defence and Maintenance of the true Religion,
'the King's Perſon, Honour, and Eſtate, the
'Power and Privilege of Parliament, and the juſt
'Rights and Liberties of the Subject; and alſo for

'the

'the Prevention of that moſt miſchievous Deſign, An. 18. Car. I.
'which gives Motion to all the reſt, and hath 1642.
'been ſo ſtrongly purſued theſe many Years, the
'altering of our Religion; which if God in his Auguſt.
'Mercy had not miraculouſly diverted, long ago
'had we been brought to the Condition of poor
'*Ireland*, weltering in our own Blood and Confu-
'ſion.

'And we do here require all thoſe who have any
'Senſe of Piety, Honour, or Compaſſion, to help
'a diſtreſſed State; eſpecially ſuch as have taken
'the Proteſtation, and are bound in the ſame Duty
'with us unto their God, their King, and Country,
'to come in to our Aid and Aſſiſtance: This be-
'ing the true Cauſe for which we raiſe an Army,
'under the Command of the Earl of *Eſſex*; with
'whom, in this Quarrel, we will live and die.'

The Lords next proceeded in the Cauſe of the Lord Mayor, and the Commons being come up, his Counſel deſired Leave to produce two new Witneſſes as to the ſecond Charge; which the Committee of the Commons objected to, but it was overruled by the Lords: The Counſel then produced Sir *John Gaire*, Alderman, who ſaid, 'That he remembered, about the End of *February* laſt, there was a Meeting at the Lord Mayor's Houſe, at the Requeſt of ſome Commoners, concerning a Petition drawn by Mr. *Benyon*, in which the Aldermen were to give their Opinion; who, having read it, withdrew themſelves to conſider of it. That the Lord Mayor conſented to it no more than any of the reſt.' One of the Sheriffs, Mr. *Clarke*, depoſed to the ſame Purpoſe.

The Lord Mayor's Defence againſt his ſecond Impeachment.

The Counſel next proceeded in their Defence againſt the Charge of not puniſhing a notorious Riot. They deſired it might be obſerved on what Perſons the Riot was committed. It was ſaid, That divers Inferences, given in Evidence, were not charged in the Impeachment; as the Entertainment and Feaſting of them, and his bidding them go to the Committee: That a Riot cannot be committed by a

ſingle

An. 18. Car. I. 1642. August.

single Person; for there was but one of the three Men, brought before the Lord Mayor, to be bound over concerning the Riot: That the Lord Mayor ought not to deliver the Information out of his Hands, being the King's Evidence: That the Cross in *Cheapside*, which they were going to pull down, was a Boundary of a great many Inheritances of Houses about it: And that People had fastened Ropes to pull down this Cross on *Candlemas-Day* last; to prevent which the Lord Mayor did double the Watch, and gave out Warrants to cause some of the Trained Bands to go to disperse the Tumult. To prove all this,

Mr. Sheriff *Clarke* deposed, 'That, on *Candlemas-Day* last, about Four in the Afternoon, the Lord Mayor sent for him, and he found many People at his House, examining the Business concerning the Cross; and that he sent out Warrants to two of the Captains of the Trained Bands to come and suppress the Tumult; and he called the other Sheriff, and made Proclamation to command the People to depart. That the 'Prentices demanded their Fellows out of Prison, committed by the Lord Mayor; and went to the *Compter*, and did begin to pull down the House for them; but the Trained Bands prevented it. And, *lastly*, that he had Power from Parliament, the 11th of *January* last, to raise the Trained Bands.'

Other Witnesses were produced to prove the Tumult, and that they were knock'd down in endeavouring to suppress it; being Constables, &c. The further Proceedings deferred for two Days.

Aug. 4. Both Houses were still busy in giving out written Instructions for their Deputy-Lieutenants in several Counties; and in granting Indemnities to Cities, Towns, and even to particular Persons, who had any ways signalized themselves in their Service.

Portsmouth declares for the King.

Some Places, however, had the Resolution to declare for the King; amongst which the important Town of *Portsmouth* was one, whose Governor, Co-

Colonel *Goring*, had not only declared himſelf againſt the Parliament; given an Oath to the Garriſon there for that Purpoſe, and thoſe that would not take it he had thruſt out of the Town; but alſo, as the Commons were informed, taken into the Fort many Papiſts with Proviſions. An. 18 Car. I. 1642. Auguſt.

This Piece of News was communicated to the Lords this Day, at a Conference, by the Commons; who likewiſe ſaid, They had conſidered the beſt Way to reduce this Town was to ſecure the Iſle of *Wight*, whoſe Governor, the Earl of *Portland*, they ſuſpected; becauſe his Wife, they ſaid, was a Recuſant, her Brother voted a Malignant, and his Brother then in the Town of *Portſmouth*. That the Commons looked upon this Earl to be, legally, a Perſon not fit for that Command; becauſe the Cuſtody of the Iſle belonged to the Earl of *Pembroke*, as Lord-Lieutenant of *Hampſhire*. *Laſtly*, They deſired the Earl of *Portland* might be put into ſafe Cuſtody, and he was committed to the Keeping of one of the Sheriffs of *London* for the preſent; but, in a Day or two after, on Suſpicion that he was concerned in the Surrender of *Portſmouth* to the King, he was ſent to the *Tower*. 'Tis not improbable that his Lordſhip's being the only Peer that oppoſed the Ordinance for the Earl of *Eſſex*'s Commiſſion of Captain-General, as before taken Notice of, might be one Motive to the Reſentment of the Commons againſt him; ſince we find that, two Days after, the Earl of *Leiceſter* and the Lord *Spencer* (who, together with the Earl of *Portland*, were the only Oppoſers of the Reſolutions of the 6th of *July*, for raiſing 10,000 Foot out of the Liberty of *London* and Counties adjacent, and for ſending ſome Ships of War and 2000 Men into *Hull*) were removed from their Lieutenancies of *Kent* and *Northamptonſhire*; although they had both concurred with the Majority in almoſt all their former Proceedings, and the latter had executed the Parliament's Ordinance for the Militia with great Vigour.——The Earl of *Peterborough* was appointed Lord-Lieutenant of *Northamptonſhire*, and the Earl of

The Earl of *Portland* committed to the *Tower*.

Alterations in the Lieutenancies of Counties.

An. 18. Car. I. 1642. Auguſt. of *Leiceſter* was ſucceeded in *Kent* by the Earl of *Pembroke*. By this Addition of Power the laſt-named Earl was, at one and the ſame Time, Lord-Lieutenant of *Wiltſhire*, *Hampſhire*, the Iſle of *Wight*, *Kent*, and the Shires of *Monmouth*, *Brecon*, *Glamorgan*, and *Caernarvon*.

The ſame Day the Lords agreed to the following Form of an Oath, which the Commons had ſent up to them, as neceſſary to be propounded to the Officers to be raiſed under the Command of the Earl of *Eſſex*:

Oath to be taken by the Officers of the Parliament's Army.

I A. B. *choſen to be an Officer in the Troops now raiſed by Ordinance of Parliament, under the Command of the Earl of* Eſſex, *do hereby vow, promiſe, and proteſt, in the Preſence of Almighty God, that, in this Employment and Service, I will defend, maintain, and obey the two Houſes of Parliament; and, in purſuance of their Direction and Command, the Right Honourable* Robert *Earl of* Eſſex, *as Captain-General of all the Forces raiſed, and to be raiſed, for the Defence of the Proteſtant Religion, the King's Perſon, Honour, and State, the Power and Privileges of Parliament, and the juſt Rights and Liberties of the Subject, and the Security and Peace of the Kingdom; and will, to the utmoſt of my Power, oppoſe, reſiſt, and ſubdue all Force raiſed againſt them, by Pretence or Colour of any Commiſſion or Warrant whatſoever.*

Auguſt 5. The Lords were informed by the Commons, at another Conference, That the Lord Marquis of *Hertford*, Sir *Ralph Hopton*, Captain *John Digby*, and ſeveral other Gentlemen, were come into the Weſt of *England*, in order to put the King's Commiſſion of Array in Execution, by Force: That the Commons had expell'd Sir *Ralph Hopton*, and the reſt of their Members concern'd in this Affair, and had ſent for them as Delinquents; and left it to their Lordſhips Conſideration what to do with theirs.

An

An intercepted Letter from the Marquis of *Hertford* to the Queen was read as follows: An. 18. Car. I. 1642. August.

Madam,

An intercepted Letter from the Marquis of *Hertford* to the Queen.

I Am now emboldened, by your Majesty's Commands, to give you the Trouble of a few Lines, which, formerly, I have done with some Scruple, fearing to intrench too much on your Majesty's Patience. His Majesty's Affairs are now, I hope, in a prosperous Way, and the Affections of his People break out every Day more and more; who begin to have their Eyes open, and will, I believe, be no longer deluded with imaginary Fears and Jealousies.

The King takes his Journey To-morrow towards Lincolnshire, *invited thereunto by a great Number of the best Gentlemen of that County. The Prince goes with him; but his Majesty has commanded me to return to* York *with the Duke, where he is to remain till the King comes back, under the Charge of the Lord* Dorset; *because, by his Majesty's Commands, I am, with all Speed, to repair to the West to put his Commission of Array in Execution; which I make no doubt to perform, without any great Difficulty, if God prosper us, as I trust he will in so good a Cause. We shall then shortly, I hope, be bless'd and cheared up with your Majesty's long-wish'd-for Presence, and, Hey then, down go they; and, to our greater Encouragement,* Sampson *is come over to us.*

Madam, your Majesty may perceive that I hope well, that I presume to be thus merry with you; but, I hope, you will pardon it, with all the other Errors and Presumptions of,

Madam,

Your Majesty's most humble,

Beverley, July 11, 1642.

most faithful, and

most obedient Servant,

HERTFORD.

The

An. 18. Car. I. 1642. August. The Lords ordered, That the Lord Marquis of *Hertford*, with the Lords *Paulet* and *Seymour*, ſhould be ſent for as Delinquents, for uſing Force, to the Terror of the People, in putting the Commiſſion of Array in Execution; and that the Sheriffs do apprehend them; the Lord-Lieutenants and Deputy-Lieutenants to be aiding and aſſiſting therein.

Further Proceedings in the Lord Mayor's Defence. They next proceeded in the Lord Mayor's Trial, and his Counſel began to make his Defence to the fifth Article of the Charge; which was, That the Lord Mayor refuſed to call a Common Council for the ſtowing the Magazine, according to an Order of Parliament. He ſaid,

'That whereas there was an Order mentioned in the Charge, *June* 21, he alledged there was no ſuch Order made, nor no ſuch Contempt ſhewn. The Order of the 13th of *January* being only to call a Common Council, *&c.* and no Members of the Houſe of Commons came to the Lord Mayor's Houſe concerning it. That the Lord Mayor, without a Court of Aldermen, cannot call a Common Council. That it was called *pro Communi Commoditate:* That every Citizen was intereſted in it; and that every Commoner might preſent what they would to them. He then produced a Copy of a Grant, 15. *Edward* III. but this being only in a a Book, the Lords would not admit it to be read, but only the Charter of the City.

Mr. *Moſs* depoſed, 'That he had been a Clerk in the City's Court ever ſince the Year 1599: That he had obſerved it to be the common Uſe, before a Common Council be called, that the Matter was debated; and an Order made that, ſuch a Day, the Common Council ſhall be called.'

Mr. *Mitchel* ſaid, 'A Common Council had always been ordered by a Court of Aldermen, till of late, within a Year or two, it hath been by Order of Parliament.'

The Counſel added, 'That the Lord Mayor heard not of the Reſolution of Parliament till the 6th of *July*; and concluded with a Deſire, That if

if any Thing new came out, they might be heard again; if not, he referred the Buſineſs to their Lordſhips Conſideration. Am. 18. Car. I. 1642. Auguſt.

Ordered, That the Reply of the Houſe of Commons ſhall be heard on the ninth Inſtant.

Auguſt 8. The Lords ſent a Meſſage to the Commons to deſire a Conference concerning a Petition from ſome Noblemen, Knights, and Gentlemen of the County of *York*, which had been preſented and read in their Houſe. This Petition being already given in the Proceedings of the 26th of laſt Month, we have only to add, That a Conference was held this Day accordingly; and it is plain that the Petition offended both Houſes extremely, ſince we find, in the *Commons Journals*, this Cenſure paſs'd upon it.

Sir *John Evelyn* told the Houſe, 'That the Lords Opinion of it was, That this was one of the higheſt and moſt inſolent Petitions that ever came to the Parliament; and are reſolved to have Juſtice done upon thoſe Perſons, that did thus challenge and defy the Parliament. They made no doubt but that a Party would be there found to make that Country too hot for them. They likewiſe deſired it might be referred to a Committee, to conſider what was fit to be done thereupon.' The late *York-ſhire* Petition cenſured.

Soon after Mr. *Pymme* reported from the Committee for the Defence of the Kingdom, 'That an Ordinance was prepared to paſs both Houſes, for the Lord-Lieutenants to raiſe Forces in Counties to oppoſe thoſe traiterous Perſons that are againſt the Parliament, and with them to fight;' which was read and agreed to.

The ſame Day another Ordinance was paſs'd for appointing Sir *Henry Vane*, *jun.* to be Treaſurer of the Navy: The Earl of *Eſſex* was, alſo, appointed Lord-Lieutenant of the County of *Hereford* inſtead of the Lord *Dacres*; and Lord *Say* and *Sele* of *Glouceſterſhire*, in the room of Lord *Chandois*, who had joined the King, and ſince executed his Majeſty's Commiſſion of Array in that County.

Auguſt

An. 18. Car. I. 1642. August.

August 9. The Lords resumed the Trial of the Lord Mayor of *London*: He being brought again to the Bar, and the Committee of the Commons being come, Serjeant *Wylde* began to open the Reply, but was stopped by the Prisoner's Counsel, who desired that some Part of the Charter of *London* might be read, which was offered the last Time; intimating, That the Lord Mayor and Aldermen, with the Consent of the Common Council, may vote; which being done, the Serjeant proceeded and said,

'That whereas it had been insisted on, That the Charge against the Lord Mayor was too general and uncertain, this House, being the highest Court, was not bound to the Formalities of the inferior Courts. That the Lord Mayor ought to take Notice of the Law in all Cases; Proclamations cannot alter the Law. And, as to the three Petitions in the second Charge; these three are but one, with some few Alterations. And, as to the third Charge, about the Riot in *Cheapside*; and the other, the not calling a Common Council, he said nothing to the former; but the Common Council in *January*, he urged, was called by Command of the King, and held in the Morning; but that which was appointed by the Court of Aldermen, in the Afternoon. *Lastly*, he concluded, somewhat abruptly, in saying, That the House of Commons desired to be disburdened of this Lord Mayor, and that he might be punished.'

August 10. The Lords took into Consideration the Evidence given against the Lord Mayor of *London*, upon the Impeachment of the Commons. And, after mature Deliberation of the whole Matter, whether it be fit or safe that he be Governor of the City at this Time, they came to the following Resolutions.

Resolved, upon the Question, 'That the Lord Mayor caused the illegal Proclamation, for the Commission of Array, to be published.'

Re-

Resolved, *&c.* 'That the Petition charged in the Impeachment to be sent to the King, was by the Lord Mayor's Procurement.' An. 18. Car. I. 1642. August.

Resolved, *&c.* 'That the Lord Mayor did not suppress the Riot; but did countenance it.'

Resolved, *&c.* 'That the Lord Mayor did refuse to call a Common Council at the Time both Houses of Parliament did command him to do it.'

These Matters of Fact being resolved, the Lords gave the following Sentence on him:

The Sentence passed upon the Lord Mayor.

1. *That Sir* Richard Gurney, *Knt. and Bart. Lord Mayor of the City of* London, *shall be deprived of that Office.*

2. *That he shall, hereafter, be incapable of holding any Office in the City.*

3. *That he shall be incapable to bear or receive any further Honour hereafter.*

4. *That he shall be imprisoned in the* Tower *of* London *during the Pleasure of this House.*

This Sentence against the Lord Mayor was pronounced, with the usual Ceremony, by the Lord *Kimbolton.*

The same Day the Commons, after reading some Letters of Intelligence from *Devonshire* and *Cornwall*, expelled several more Members of their House; who, with others, were sent for up as Delinquents.

August 11. A Letter came from the King, this Day, directed to the Speaker of the House of Lords, with a Proclamation inclosed, commanding that it should be read; which was done accordingly.

The King proclaims the Earl of *Essex* and his Adherents, Rebels.

The Proclamation had this Title, *For suppressing the present Rebellion, under the Command of* Robert *Earl of* Essex; *and the gracious Offers of his Majesty's free Pardon to him and all such his Adherents, as, within six Days after Date hereof, should lay down their Arms.* Dated at the Court at *York*, *August* 9, 1642.

After this was read, the Earl of *Essex* stood up and said, 'That he was made General by the Desire,

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fire, Command, and Authority of both Houſes of Parliament, and not of his own ſeeking; and he proteſted, that his Actions ſhould ſhew him as dutiful a Subject as any the King had.'

The Lords took this Matter to be of high Concernment, as the Threatening and Proclaiming of both Houſes of Parliament Rebels; and reſolv'd to have a Conference with the Commons about it preſently. This Conference was held the ſame Day; and the Report of it made in the Houſe of Commons, by Sir *Robert Harley*, was to this Effect:

A Conference thereupon.

'The Lord *Kimbolton* ſaid, That the Lords deſired this Conference to acquaint the Commons with a Letter and a Proclamation they had received from the King: That there needed no Language to it; if there had, the Lords would have choſen a better Speaker; but the Words gave Advantage ſufficient, which he was to read unto them, and then give the Senſe of the Lords upon it.' After the Letter and Proclamation were read, his Lordſhip proceeded and ſaid, 'There needed no great Expreſſion to make them ſenſible of this Proclamation; they heard the Earl of *Eſſex* was proclaimed a Traitor, and all Commanders under him, and all that adhered unto them; and, in thoſe, the Parliament and the honeſt Party of the Kingdom were proclaimed Traitors: That theſe were big Words of Terror; but the Lords had well conſidered the Grounds before they entered into this Action; which was for the Maintenance of the Law, Religion, Liberty of the Subject, and Privilege of Parliament: Upon which Grounds they commanded him to let them know, That, with one Conſent, they reſolved to go on with yet greater Vigour than before.'

The Earl of *Eſſex* ſpoke next, at the Conference, and ſaid much the ſame as he had before to the Lords, except adding, 'That he was as ready to adventure his Life for Defence of the Law, as the other great General for the Breach of it.'

After hearing this Report, the Commons immediately voted, 'That whereas the Parliament had formerly choſen the Earl of *Eſſex* to be Captain-Ge-

General of such Forces as were or should be raised, for the Maintenance and Preservation of the true Protestant Religion, the King's Person, the Laws of the Land, the Peace of the Kingdom, the Liberty and Property of the Subject, and the Rights and Privileges of Parliament; this House doth now declare, That they will maintain and assist him, and adhere unto him, with their Lives and Fortunes, in the same Cause.'

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The Parliament resolve to support them with their Lives and Fortunes.

A Memorandum is enter'd, That when this Question was put, every Man rose up in his Place, one after another, and gave a distinct Answer to it. And it was resolved, That such Members as were absent should also declare themselves, from Time to Time, at their coming into the House.

August 13. This Day Sir *Robert Harley*, Knight of the *Bath*, brought up to the Lords an Impeachment of the Commons against *William* Marquis of *Hertford*, *Spencer* Earl of *Northampton*, and *Henry* *Hastings*, Esq; second Son to the Earl of *Huntingdon*, for High Treason, in actually levying War against the King and Kingdom; and desired that speedy Proceedings might be had against them, according to Law and Justice.

The Marquis of *Hertford*, &c. impeached of High Treason by the Commons.

On this the Lords directed a Proclamation, and Writs to be sent out to the Sheriff, to summon the said Lords to appear at the Bar of the House on the 29th Instant, to answer to this Impeachment, *sub Pœna Convictionis*.

So many People of Quality, and others, had been sent for, as Delinquents, by the House of Lords, about this Time, that their Gentleman-Usher's Bill, for Messengers, &c. the Particulars of which were given in this Day, amounted to above 600 *l.* at, seemingly, very moderate Rates.

A Declaration and Resolution of Parliament, in answer to the King's late Proclamation against the Earl of *Essex*, &c. was this Day read and agreed to by both Houses; wherein they solemnly profess,

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'That they will really endeavour to make both his Majeſty and his Poſterity as great, rich, and potent; as much beloved at home and feared abroad, as any Prince that ever ſwayed the *Britiſh* Sceptre, on Condition that he will immediately diſband all his Forces; abandon and leave to condign Puniſhment his wicked Counſellors (who have now adviſed and prevailed with his Majeſty, by this Proclamation, to invite his Subjects to deſtroy his Parliament and good People by a Civil War; and, by that Means, to bring Ruin, Confuſion, and perpetual Slavery upon the ſurviving Part of a then wretched Kingdom); and return and hearken to the wholeſome Advice of his Parliament.' [r]

The Parliament's Anſwer to the King's laſt Proclamation.

His Majeſty forbids all Recuſants from joining his Army,

The ſame Day the King iſſued out another Proclamation, declaring his Majeſty's expreſs Command, That no Popiſh Recuſant, nor any other who ſhall refuſe to take the two Oaths of Allegiance and Supremacy, ſhall ſerve him in his Army; and that the Soldiery commit no Rapines upon the People, but be fitly provided with Neceſſaries for their Money.

And publiſhes a Declaration to the People againſt the Parliament.

Two Days after the King publiſh'd a Declaration to all his loving Subjects, concerning the Proceedings of this preſent Parliament, dated *Aug.* 12, 1642. In this Piece 'His Majeſty recapitulates every remarkable Circumſtance, from his firſt Reſolution of ſummoning this Parliament; repreſents to the People all that he had done, and endeavoured, in favour of his Subjects, and to ſatisfy the Deſires of his Parliament; and diſplays, in the ſtrongeſt Light, the ungrateful Returns he had met with from them, *&c.*' But this Piece we are obliged, on account of its exceſſive Length, to paſs over with a Reference; which we are the rather inclined to do, ſince we do not find any Anſwer to it was ever publiſhed on the Part of the Parliament. [s]

Auguſt

[r] This Proclamation at Length, with the Parliament's Anſwer to it, is in *Ruſhworth*, Vol. IV. p. 769; and *Huſbands*, p. 503.

[s] This Declaration may be found at large in *Huſband's Collections*, from p. 514 to 562; and in the Folio Edition of the King's Works, Vol. II. from p. 134 to 194.

Auguſt 16. The Houſe of Commons received the following Meſſage from the King, dated from the Court at *York* the 13th of this Month: An. 18. Car. I. 1642. Auguſt.

His Meſſage to the Houſe of Commons, upon their taking 100,000 *l.* from the Supplies for *Ireland*.

'HIS Majeſty taking Notice of an Order lately made by the Houſe of Commons, whereby 'that Houſe hath unduly aſſumed to themſelves Au- 'thority to order, direct, and diſpoſe of 100,000 *l.* '(Part of thoſe Monies, which the Adventurers for 'the reducing of the Rebels of *Ireland* have paid to 'that End and only to that Purpoſe) to other Uſes 'and Intents, contrary to the expreſs Words of the 'Act of Parliament concerning the ſame; wherein 'it is enacted, *That no Part of the Money which 'ſhould be paid in, according to that Act, ſhall be em- 'ployed to any other Purpoſe than the Reducing of thoſe 'Rebels, untill they ſhall be declared to be ſubdued*; 'out of his Piety and Princely Care for the Con- 'firming and Re-eſtabliſhment of God's true Reli- 'gion in that his Kingdom of *Ireland*, for the Re- 'lief of his diſtreſſed Subjects there, for the Suppreſ- 'ſing of that horrid and bloody Rebellion, and for 'the Supply and Payment of his Army there, now 'in great Want and Neceſſity, doth ſtrictly require 'the Houſe of Commons, as they will anſwer the 'contrary to Almighty God, his Majeſty, and thoſe 'that have truſted them, That they immediately 'retract that miſchievous, illegal, and unjuſt Order, 'wherein his Majeſty expects their ſpeedy Anſwer 'and Obedience: And the rather that he may, 'thereby, be ſecured, that ſuch Part of the 400,000 *l.* 'as is, or ſhall be, collected from his good Subjects 'of *England*, by virtue of the late Act of Parlia- 'ment, whereby the ſame is granted, may not like- 'wiſe, under falſe Pretences, be diverted from its 'proper Uſe for which it was intended; and miſ- 'employed, to the Diſturbance of the Peace of this 'Kingdom, in a War againſt his Sacred Majeſty.'

Soon after the following Anſwer of the Houſe of Commons to this Meſſage was, by them, ordered to be printed and publiſhed.

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Their Answer to the King's Charge.

'THE House of Commons having received a Message from his Majesty of the 13th Instant, whereby they are required to retract an Order lately made by them, for the Borrowing of 100,000*l.* of the Adventurers Money for *Ireland*, supposing that Order very prejudicial to the Affairs of *Ireland*, and contrary to an Act of Parliament made this present Session; do, in the first Place, declare, That these Directions given by his Majesty, for the retracting of this Order, is an high Breach of the Privilege of Parliament: And that they cannot, without a deep Sense of Sorrow, call to Mind how Popish and Prelatical Counsels did so far prevail with his Majesty, that two Armies were brought within the Bowels of this Kingdom, and two Protestant Nations ready to welter in each others Blood: That when both those Armies had been a long Time defrayed at the Charge of the poor Commons of *England*, and at length, by God's Blessing upon the Endeavours of the Parliament, quietly disbanded, the same wicked Counsels, prevented of that Design, did soon after raise this bloody and barbarous Rebellion in *Ireland*: The Suppressing whereof, for the better Colour, was recommended to the Care of the Parliament; who, out of a Fellow-feeling of the unspeakable Miseries of their Protestant Brethren there, (not suspecting this horrid Plot, now too apparent) did chearfully undertake that great Work; and do really intend and endeavour to settle the Protestant Religion, and a permanent Peace in that Realm; to the Glory of God, the great Honour and Profit of his Majesty, and Security of his three Kingdoms: But how they have been discouraged, retarded, and diverted in and from this pious and glorious Work, by those traiterous Counsels about his Majesty, will appear by many Particulars, some whereof they shall, upon this just Occasion, call to Remembrance.

'That when the Lords and Commons had, upon the first breaking out of the Rebellion, immediately

'diately provided and sent over 20,000 *l.* and engaged themselves and the whole Kingdom for the reducing of the Rebels: Yet his Majesty, after his Return from *Scotland* to *London*, was not pleased, either by Word or Message, to take Notice of it, untill after some in the House of Commons had truly observed how forward those mischievous Counsellors were to incite his Majesty against his Protestant Subjects of *Scotland*, and how slow to resent the Proceedings of his Papist Traitors in *Ireland*. An. 18. Car. I. 1642. August.

'That although the Rebels had most impudently stiled themselves *The Queen's Army*, and profess'd that the Cause of their Rising was, to maintain the King's Prerogative and the Queen's Religion, against the *Puritan Parliament* of *England*; and that thereupon both Houses of Parliament did, humbly and earnestly, advise his Majesty to wipe away this dangerous Scandal, by proclaiming them Rebels and Traitors to his Majesty and the Crown of *England*; which then would have mated [t] and weakened the Conspirators in the Beginning, and have encouraged both the Parliament here, and good People there, the more vigorously to have opposed their Proceedings: Yet such was the Power of those Counsels, that no Proclamation was set forth to that Purpose, untill almost three Months after the Breaking out of this Rebellion; and then Command given that but forty should be printed, nor they published till further Directions should be given by his Majesty.

'That after both Houses of Parliament had found out a probable Way to reduce the Kingdom of *Ireland*, by the Adventure of private Men, without any Charge to the Subject in general; and which, they are very confident, would have brought in a Million of Money, had his Majesty continued in or near *London*; those malicious Whisperers, that durst not hinder the Passing of the Bill, which was so specious in itself, and so generally approved, yet have, by Practice, by drawing

[t] Subdued or conquer'd. *Spencer.*

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'drawing his Majesty from his Parliament, by keeping him at this Distance, and advising him to make War upon his People, so intimidated and discouraged the Adventurers, and others that would have adventured, that they have rendered that good Bill in a Manner ineffectual.

'That the Parliament and Adventurers had, long since, designed 5000 Foot and 500 Horse for the Relief of *Munster*, to be sent as a Brigade, under the Command of the Lord *Wharton*; had made Choice of and listed all the Commanders, and prepared Money, Arms, and other Provision for that Expedition, and all to be at the Charge of the Adventurers: And when nothing was wanting but a Commission to the Lord *Wharton*, to enable him for that Service, such was the Power of those Counsels, that no Commission could be obtained from his Majesty; by reason whereof *Limerick* was wholly lost, and the Province of *Munster* is now in very great Distress.

'That when divers pious and well-affected Persons had prepared twelve Ships and six Pinnaces, with 1000, or more, Land-Forces, at their own Charge, by Way of Adventure, for the Service of *Ireland*, and desired nothing but a Commission from his Majesty to enable them thereunto; that Commission, after twice sending to *York* for the same, and the Ships lying ready to set Sail for three Weeks together, at the Charge of near 300*l.* a Day, was likewise denied; and those Adventurers, rather than lose their Expedition, were constrained to go, by virtue of an Ordinance of both Houses of Parliament.

'That although the Lords Justices of *Ireland* have, three Months since, earnestly desired to have two Pieces of Battery sent over, as very necessary for that Service; yet such Commands are given to the Officers of the Tower, that none of his Majesty's Ordnance must be sent to save his Majesty's Kingdom.

'That although, whilst the Earl of *Leicester* staid here in the Service of the Parliament, and in providing

'viding for his long-expected Voyage into *Ireland*, a Meſſage was ſent to the Parliament from his 'Majeſty, to haſten him away; and Letters were 'written to the ſaid Earl from his Majeſty, that he 'ſhould make no Stay at *York* for his Diſpatch, 'but that his Inſtructions ſhould be ready for him 'againſt he came; and although it is notoriouſly 'known that the Affairs of *Ireland* do exceeding-'ly ſuffer by wanting the perſonal Aſſiſtance of a 'Commander in Chief, to give both Life and Mo-'tion to the Army there: Yet the ſaid Earl hath 'been ſtayed with his Majeſty, in the North, a 'Month and more, and, as yet, can get no Diſ-'patch. An. 18. Car. I. 1642. Auguſt.

'That, notwithſtanding the bleeding Condition 'of *Ireland*, yet divers Commanders and Officers 'in Pay, and in actual Employment there againſt 'the Rebels, have been called away from that im-'portant Service, by the expreſs Command of his 'Majeſty; as *Charles Lloyd*, Engineer and Quarter-'maſter-General of the Army in *Ireland*, and di-'vers others.

'That Captain *Green*, Comptroller of the Ar-'tillery, a Man in Pay, and principally employed 'and truſted here by the Lord-Lieutenant of *Ire-'land*, for the providing and ordering the Train of 'Artillery which was to be ſent to *Dublin*, and 'who had received great Sums of Money for that 'Purpoſe, was commanded from that Employment 'and Truſt, to ſerve his Majeſty in this moſt un-'natural War againſt his loyal and beſt-affected 'People.

'That the Parliament having made great Provi-'ſion of Cloaths for the poor Soldiers in *Ireland*, 'for their preſent Succour, and ſending 600 Suits, 'Part thereof towards *Cheſter*, the laſt Week; the 'Man that undertook the Carriage of them, one '*William Whitaker* by Name, was aſſaulted by his 'Majeſty's Cavaliers, then lying about *Coventry*; 'who took away theſe 600 Suits of Cloaths, and 'the Waggon and Horſes of the poor Man, altho' 'they were told that the 600 Suits of Cloaths were

'for

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'for the Soldiers in *Ireland*; and notwithstanding 'the poor Carrier was, five Times, with the Earl 'of *Northampton*, to beg a Releaſe of his Waggon.

'That 300 Suits of Cloaths, with a Chirurgeon's 'Cheſt of Medicaments, being likewiſe ſent for *Ire-* 'land by one *Richard Owfield*, who was employed 'by the Parliament to carry them to *Cheſter*; a 'Troop of his Majeſty's Cavaliers, under the Com- 'mand of one Captain *Middleton*, met with them 'upon the Road, and took away the Cloaths and 'Chirurgeon's Cheſt, together with the poor Car- 'rier's Horſes and Waggon, for his Majeſty's pre- 'tended Service here.

'That a great Number of Draught Horſes, pre- 'pared by the Parliament for the Artillery and Bag- 'gage of the *Iriſh* Army, were ſent to *Cheſter* for 'that Purpoſe; and being there, attending a Paſ- 'ſage, are now required by his Majeſty for his 'ſaid preſent Service in *England*.

'That his Majeſty's Forces are ſo quartered in 'and about the common Roads to *Ireland*, that 'neither Money, Cloaths, Victuals, or other Pro- 'viſion, can paſs thither by Land with any Safety.

'That Captain *Kettleby* the Admiral, and Sir '*Henry Stradling* the Vice-Admiral, of the Ships 'which were directed to lie upon the Coaſt of *Ire-* 'land, to annoy the Rebels, and to prevent the 'bringing to them Ammunition and Relief from 'foreign Parts, are both called away from that 'Employment, by his Majeſty's Command; and, 'by reaſon of their Departure from the Coaſt of '*Munſter*, to which they were deſigned, the Rebels 'there have received Powder, Ammunition, and 'other Relief from foreign Parts; by which, and 'many other Particulars too long to relate, it may 'ſeem as if thoſe barbarous *Iriſh* Rebels are kept on 'foot and countenanced there, of Deſign to aſſiſt 'the Northern Cavaliers; and, according to the 'Earl of *Strafford*'s unheard-of Advice, to have 'an Army in *Ireland*, with which his Majeſty may 'reduce this Kingdom; eſpecially conſidering thoſe 'confident Rebels have preſumed, very lately, to

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'send a Petition to his Majesty, intitling themselves his Majesty's Catholic Subjects of *Ireland*, and complaining of the Puritan Parliament of *England*; and desiring, that since his Majesty comes not thither according to their Expectation, that they may come into *England* to his Majesty; which Petition, we may justly fear, is but a Prologue to that Tragedy they have designed to act here, in case their coming over be not prevented by the Care and Vigilancy of the Parliament and the good People of *England*. But lest the House of Commons might excuse the making of this Order by way of Recrimination, they, for Satisfaction to the World, do protest before Almighty God, the Searcher of all Hearts, That they have as great Compassion and Sorrow for the present Sufferings of their distressed Brethren in *Ireland*, as if themselves were in their Case; (into which they are confident those horrid Traitors, those Monsters of Men about his Majesty, do labour to bring this Kingdom) that they have, and shall ever really endeavour, by all possible Means, with a due Regard to the present State of this Kingdom, to supply and support them in this their great Affliction, notwithstanding the Malice and Obstructions of all Opposers.

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'That the House of Commons lively apprehending the imminent Danger of this Kingdom, and finding that whilst they were active here to subdue the Rebels of *Ireland*, there were Papists, Traitors, and Delinquents, more active in the North, to conquer and destroy the Parliament and good People of *England*, thought it necessary to provide for the Safety of both, by preparing a competent Army for the Defence of King and Kingdom: And although Multitudes of well-affected Persons had chearfully brought in great Store of Plate for that Purpose, yet in regard the Plate could not be coined with such Expedition as the Importance of the Service did require; and well knowing that 100,000*l.* might, for a short Time, be borrowed out of the Adventurers Money for

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'*Ireland*, without any Prejudice to the Affairs of 'that Kingdom, whose Subsistence depends upon 'the Welfare of this; and, resolving to make a real 'and speedy Repayment of what Money should be 'so borrowed, did make this Order; which, that 'it might appear to all the World to be neither 'mischievous, illegal, nor unjust, (as his Majesty, 'by the Instigation of those malignant Whisperers, 'is pleased to term it) the House of Commons 'thought fit to recite it *in hæc Verba*; and, instead 'of retracting the Order, to repay the Money with 'all possible Speed.

July 30, 1642.

It is this Day ordered by the Commons House of Parliament, That the Treasurers, appointed to receive the Monies come in upon the Subscription for Ireland, *do forthwith furnish, by way of Loan, unto the Committee of Lords and Commons, for the Defence of the Kingdom, the Sum of* 100,000 *l. for the Supply of the Public Necessity, for the Defence of the King, Parliament, and Kingdom, upon the Public Faith; to be repaid, duly and carefully, within so short a Time that it shall not be diverted from the Purpose for which it was intended, or any way frustrate the Acts already made in the Behalf of that Adventure.*

'By which Order, and that which hath been here 'truly set down, it will easily appear to all indifferent 'People of his Majesty's three Kingdoms, whether 'the King and his Cavaliers, or the King and his 'Parliament, do most affect and endeavour the Set-'tling of true Religion, and a firm and constant 'Peace within that bleeding and distressed Kingdom.'

The House of Lords had been busy, for several Days, with a Multiplicity of Things, most of them tending to warlike Preparations; having received Intelligence, that the King would set up his Standard on the twenty-second of this Month, and would then march forward.

August

Auguſt 18. The Lord *Kimbolton* reported the Effect of a Conference held Yeſterday with the Houſe of Commons, about Affairs in *Yorkſhire*: When a Letter was read, directed to Sir *Philip Stapylton*, Member of Parliament for *Boroughbridge*, as follows: An. 18. Car. I. 1642. Auguſt.

York, Auguſt 13, 1642.

SIR,

A Letter concerning the State of Affairs in *Yorkſhire*.

THE State of Affairs in this County is of ſo high Importance to the general Good of the whole Land, as we conceive them requiſite to be repreſented to the Houſes of Parliament; and to receive Directions, from thence, as may guide the well-affected Subjects in ſuch Ways as conduce to the Eſtabliſhment of Peace here and elſewhere: And, to that End, the Committee, when they returned to the Parliament, promiſed frequent Intercourſes; and that thoſe, who ſhould be employed from hence upon ſuch Occaſions, ſhould find a good Reception. The Gentlemen of the County, having met here at York, *this Day and Yeſterday, did reſolve it neceſſary to ſend the Bearer hereof with a View of the preſent Condition of this Country, which they deſire you to make known to the Houſe as you ſhall find it neceſſary.*

His Majeſty hath now withdrawn all his Forces from Hull *and* Beverley, *and ſent moſt Part of his Horſe towards* Newark *and* Nottingham; *intending to ſet up his Standard at* Nottingham *on the 22d of this Month: And, by Proclamation, commands all Men's Attendance on his Perſon; as the Proclamation, which the Bearer will deliver, doth more fully inform.——His Army, at this preſent, conſiſts eſpecially of Horſe, which are intended to be about* 4000, *in ſeveral Regiments; in which Number, we conceive, are not included the* 400 *Horſe, which certain of the Gentry of* Yorkſhire *promiſe to raiſe, nor the Train of the Court eſtimated at* 500 *Horſe: For Foot-Forces, here are very few viſible, and thoſe of the Scum of the Country, being raiſed by beating Drums for Volunteers: Yet it is ſaid, that the Proportion is* 13,000 *Foot, though, in Diſcourſe, they declare as if* 5000 *Foot will be ſufficient for the Deſign; but what*

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it is, or againſt whom, we know not, otherwiſe than that it is expreſſed, in the Proclamation, for raiſing the Standard: For if it were in Defence of the Proteſtant Religion, the Laws of the Land, and the Privileges of Parliament, ſo often repeated, we conceive the Papiſts, who hate them all, would not ſo much rejoice, and ſhew themſelves ſo forward to aſſiſt the Service; nor make ſo frequent Reſort, as now they do, into theſe Parts from Ireland, Lancaſhire, *and all Parts of* Yorkſhire: *And, beſides, we obſerve the King hath ſent out Warrants to call to the Service all Recuſants Horſe and Arms; and many Recuſants, to make themſelves capable of Commands, do reſort to Church.*

It is given out, that the King goes Southward on Tueſday *next, tho' of that we can write no Certainty: But, whenſoever he goes away from hence, he leaves the Earl of* Cumberland *to govern theſe Northern Counties; with Authority to raiſe Forces for Defence of them, and a Council of War to aſſiſt; to terrify the Subjects, and conſtrain Obedience to his Government. It is to be accompanied with a Commiſſion of* Oyer *and* Terminer, *and this Government and Council are to reſide at* York.

You have already heard how the Gentry of this County were ſummoned to appear before his Majeſty, at York, *the fourth of this Month; where his Majeſty made certain Propoſitions to them, which you have ſince ſeen in Print: Whereupon the Earl of* Cumberland, *Lord* Savile, *Lord* Fauconberg, *all or moſt of the Commiſſioners of Array, and divers other Gentlemen of the County, met in the Deanry at* York; *and there framed the Petition ſent up by Mr.* Jackſon *and Mr.* Maude *to the Parliament: Which, tho' it was carried then with much Secrecy, yet is now divulged; and diſliked by a great Number of the Gentry of this County, who will proteſt againſt it in Writing, ſo ſoon as they can meet with a Convenience: Yet they which framed it reſolve to maintain it, and hold Meetings and Conſultations at the Deanry at* York; *where they treat of Matters of dangerous and high Conſequence, and contrary to the Laws of the Land and the Liberty of the Subject; that is to ſay,*

To

To join in Associations with other neighbouring Counties, to maintain the Petition aforesaid, and to raise an Army of Horse and Foot, for Defence of the County, under the Command of the Earl of Cumberland, *to be laid about* York, *and to be paid by the Country:* An. 18. Car. I. 1642. August.

To obtain of the King an able Soldier to command in this Army, under the Earl, to whom they intend the Country shall allow Entertainment; to constrain all Persons to contribute to the Charge of this Army, and to distrain upon such as refuse it:

And, to disable the Subjects to oppose or defend themselves against this Oppression, they intend to disarm and imprison all such Gentlemen as shall not consent with them; and they have especially designed to imprison a great Number of Gentlemen, who they suppose will give Opposition to their Trained-Bands, in every Regiment; and intend to disarm more of them, where they find Danger of Opposition: Sir John Mallory, *for his Regiment, hath already caused both Money to be furnished to his Soldiers by the Constables, and Arms to be taken from the People.*

These Propositions and Consultations, which are generally spoken of, do not a little perplex the well-affected Subjects; and their Fears increase by divers particular Affronts, and Attempts made upon the Gentry of this County, by the Troops and others of the King's Army; as the pillaging of divers Gentlemen's Houses about Hull, *and plundering Sir* Henry Cholmley's *House, near* Selby *on* Sunday *last; and Mr.* George Marwood's *House, near* Knaresbrough, *twelve Miles from* York, *on* Wednesday *last: In this of Mr.* Marwood's *we will relate some Particulars, for your better Information: — It was done in the Day Time, and by twenty-four Horse or thereabouts; Part stayed beyond the* Nid *running close by the House, Part entered the House, and others kept Watch that none should come to hinder their Attempts: They threatened Mrs.* Marwood *and her Servants with Death, to discover where her Husband was; and swore they would cut him in Pieces before her Face, and called her* Protestant Whore *and* Puritan Whore; *they searched*

An. 18. Car. I. 1642. August. *searched all the Houſe, broke open ſeventeen Locks, and took away all the Money, being about* 120l. *and all his Plate they could find; and pretended they had the King's Warrant for their ſo doing, which the King diſavows; and his Majeſty is very much offended to have his Name ſo abuſed, and threatens to have them all hanged if they be diſcovered: And though it be Mr.* Marwood's *Lot to ſuffer firſt, yet the looſe People threaten to pillage and deſtroy all the* Round-Heads, *and name ſome particular Perſons; under which fooliſh Name,* Round Heads, *they comprehend all ſuch as do not go their Ways.* [u]

Theſe Beginnings and Preparations of Miſery are neceſſary to be made known to all the Kingdom, that the good Subjects may ſtand upon their Guard; for though we may aſſure ourſelves that the King will endeavour to preſerve us, yet we find it is impoſſible to reſtrain the Malice and Rage of bloody Papiſts and faithleſs Atheiſts; and, in Time, theſe Miſchiefs will approach other Parts, though, for the preſent, we, only, lie in the Mouth of Danger.

Now, towards the Redreſs of theſe growing Evils, ſecuring the Peace of this County, and Preſervation of thoſe peaceable Subjects intended to be diſarmed and left naked to the Fury of every malicious Adverſary, we offer to your Conſideration the Propoſitions following, viz.

That an Order be conceived in Parliament, and declared, that all the Kingdom may take Notice of it, to this Effect:

That all well-affected and good Subjects, that ſhall be plundered, pillaged, or ſuffer in their Eſtates by any of the Cavaliers, *or other Forces raiſed without Conſent of Parliament, ſhall have full Reparation of their Damages out of the Eſtates of ſuch Perſons of Wealth and Quality, whoſe Fortunes, being in the South, do now reſide in* Yorkſhire; *and who with their Preſence*

[u] In the foregoing Month is the firſt Inſtance we meet with of the *Royaliſts* being diſtinguiſhed by the Name of *Cavaliers*; and this is the firſt of the *Parliament*'s *Party* being called *Round-Heads*. But theſe Words ſoon after grew as frequent in the Times we are now upon, as thoſe of *Whig* and *Tory* in our own.

ſence and Aſſiſtance, do countenance and further theſe Diſtempers of the Kingdom, and the Miſchiefs that do happen, and are like to increaſe. An. 18. Car. I. 1642. Auguſt.

That there may be ſpeedily ſent to Hull, *a ſufficient Proportion of Powder, Arms, Ordnance, and other Ammunition, with an Order to furniſh the Country with them as there ſhall be Occaſion; eſpecially ſuch as ſhall be diſarmed, upon the Conſultations held in the Deanry at* York.

That Commiſſions be ſpeedily ſent down from the Earl of Eſſex, *Lord-Lieutenant of this County, to the Gentlemen named in this incloſed Paper, or ſuch of them as the Houſe ſhall elect for the preſent, to raiſe and command the Forces of this County, for ſuppreſſing of any Inſurrection and unlawful Tumults that may happen to ariſe.*

That the Sheriff be commanded, by ſpecial Order of Parliament, to conduct and aſſiſt as the Houſe conceives fitting.

This Liſt of Gentlemen for commanding the Country Forces is not intended to diſappoint any of Truſt or Command, who are already nominated and intruſted by the Parliament; nor are they intended to be continued longer than untill ſome other Proviſions, by an Act, be concluded on by the King and Parliament for ſettling and ordering the Militia.

And, laſtly, *it is the Deſire of the Well-affected in this County to receive weekly Advertiſements from thence, by ſome ſpecially employed for that Purpoſe, untill Affairs be ſo ſettled as we may ſafely confide in the ordinary Poſt; for now we neither rightly underſtand the Proceedings of the Houſe, nor can we repreſent to them ſuch Matters as concern the Peace of this County.*

All which we hope you will be pleaſed to repreſent to the Houſe, as the unanimous Conſiderations of a great Number of the Gentry of this County. And we remain

Auguſt 13, 1642. Your affectionate, &c.

P. S. *The Grand Jury, this Aſſizes, conſiſts for the moſt Part of ſuch as give us Cauſe to ſuſpect that there*

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is some extraordinary Business to be presented; but of this the Sheriff excuseth himself, and saith the Pannel, returned by him, was viewed and corrected by the Judge a Fortnight before the Assize.

The Lord *Kimbolton* further reported, 'That the House of Commons offered to their Lordships Consideration, a Proclamation from the King, requiring the Aid and Assistance of his Majesty's Subjects on the North Side *Trent*, and within 20 Miles Southward thereof, for the suppressing of the Rebels now marching against him: And that thereupon the Commons desired,

1. 'That a Committee of both Houses may be appointed to draw up a Declaration, and therein to set down the unjust Grounds of this Proclamation.

2 'To consider the desperate Propositions of those that do meet at the Dean of *York*'s House.

3 'To consider of the Propositions of the Gentlemen of *Yorkshire*.

4. 'That the foregoing Letter may be printed and published.'

His Lordship added, 'That the Commons also desired their Concurrence in an Ordinance, declaring all Men Traitors that assist his Majesty in this War; which was read as follows:

The Parliament declare all such as assist the King, Traitors.

'Whereas the King, seduced by evil Counsel, 'doth make War against his Parliament and People, '[*intending to make himself an absolute Conqueror 'of these Kingdoms, if not timely prevented*]; and, 'for the promoting of this War, divers Forces of 'Horse and Foot have been levied, and are raised, 'by several Persons; and his Majesty's good Sub'jects are most cruelly robbed, spoiled, and slain: 'To the End that no Man may be misled through 'Ignorance, the Lords and Commons in Parlia'ment declare, That all such Persons as shall, upon 'any Pretence whatsoever, assist his Majesty in this 'War with Horse, Arms, Plate, or Money, are 'Traitors to his Majesty, the Parliament, and the 'King-

'Kingdom; and shall be brought to condign Punishment for so high an Offence.' [x] An. 18. Car. I. 1642. August.

To all these Propositions of the Commons the Lords gave their Consent, *Nem. Con.*

The same Day (*August* 18) the Lords were informed, That, according to their Order, Sir *Nicholas Raynton*, senior Alderman of *London*, had called a Common-Hall, and that the Citizens had elected Alderman *Pennington* their new Lord Mayor; and it was necessary and consistent with the antient Customs of the City, that he be sworn and presented at *Westminster*, &c. That the City having sent to Sir *Richard Gurney* for the Sword, Cap, Mace, and Collar of SS's, he pretended that they were lock'd up at his House, and he could not come at them: But being ask'd again, Whether he would deliver them if he had them? He denied to deliver the Sword to any but the King, from whom he received it.

Sir *Richard Gurney*, removed from his Office of Lord Mayor, refuses to deliver up the Regalia.

Upon this it was first ordered, 'That the Thanks of the House should be given to Sir *Nicholas Raynton* and the rest of the Aldermen, for their chearful, ready, and orderly Obedience to the Commands of this House: That they approved of Alderman *Pennington* for Lord Mayor, as his good Affections were well known to be for King, Kingdom, and Privileges of Parliament: That he should have the usual Oaths given him by the Court of Aldermen; and two Barons of the Exchequer should attend the next Day, for the Lord Mayor to be presented and sworn.'

Lastly, It was ordered, 'That the Gentleman-Usher, attending that House, should go to the House of Sir *Richard Gurney* and demand the Sword, &c. and, if he be denied, to break open any Doors or Locks whatsoever, and possess himself of them, and deliver them to Alderman *Pennington*, now Lord Mayor Elect of the City of *London*.'

[x] This Resolution of Parliament is printed in *Husbands* and *Rushworth*; but the Passage in Crotchets is omitted by both those Collectors, and also in the *Lords Journals*: We have supplied it from those of the *Commons*.

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The next Day the Gentleman-Usher gave the Lords this Account, 'That, according to their Order, he had taken out of Sir *Richard Gurney*'s Study four Swords, belonging to the City, one Cap of Maintenance, one embroidered Crimson Cap, one Collar of SS's with a great Jewel and a pendant Pearl, and one great Mace, belonging to the City; all which Particulars he had delivered to the Lord Mayor Elect, and had his Receipt for them.'

August 19. An Allowance to the Earl of *Essex*, Lord General, of 10 *l.* a Day, for ordinary Expences; and the Earl of *Bedford* 6 *l.* as General of the Horse, was this Day agreed to by both Houses.

Mr. *Oliver Cromwell* was a Person of such Note, in the History of these Times, that it may well be wondered at we have scarce yet ever mentioned him: But, tho' his Name hath often occurred to us, in our Progress through the *Journals* of both Houses, yet it was only as a Member of the House of Commons, and sent with Messages to the Lords, chiefly about *Irish* Affairs, but all below our Notice; till, this Day, we find a Copy of Instructions entered in the *Lords Journals*, directed to *Oliver Cromwell*, Esq; *Thomas Sherwood*, Mayor of *Cambridge*, (for which Town the former was Representative in Parliament) and three Aldermen, appointed to take Care of the Peace and Safety of the said Town; authorizing them to train and exercise all the Train'd Bands and Volunteers in that Town; and to lead and conduct them against all Forces that attempt to seize upon the Place, or to disturb the Peace of it: And further, they were also authorized to fight with all such Persons, and kill and slay them; and, by all Means, to preserve their Town from all hostile Attempts whatsoever, *&c.*

Mr. *Oliver Cromwell* prevents the University of *Cambridge* from sending their Plate to the King.

Pursuant to these Instructions, the Commons had, soon after, Intelligence, That Mr. *Cromwell* had seized on the Magazine in the Castle of *Cambridge*; and had hindered the carrying off Plate, from that University, to the Value, as some reported, of 20,000 *l.* And,

The

The next Day, an Ordinance was made for the Indemnity of *Oliver Cromwell*, Esq; and the Persons concerned with him therein; and also further authorizing him and them to make Stay of all such Plate, belonging to any of the Colleges in the University of *Cambridge*, as shall be, hereafter, endeavoured to be carried to the King to maintain a War against the Parliament. An. 18. Car. I. 1642. August.

Three Commissioners of his Majesty's Ordnance in the *Tower*, having refused to obey the Lord General's Warrant, for delivering up some Stores, *&c.* out of the Magazine there, they were taken into Custody; and ordered either to deliver up the Keys of the Office of Ordnance and Stores, or else the Doors to be broke open, and the Charge and Keeping the said Arms, *&c.* to be committed to other Hands, for the Use of the King, Parliament, and Kingdom.

A Declaration of Parliament was this Day (*August* 20) agreed to, on the Basis of the last Letter from *Yorkshire*, and was as follows: [y]

A Declaration of Parliament, occasioned by the late Letter from *Yorkshire*.

'WE the Lords and Commons in Parliament assembled, have perused and seriously considered a Letter sent from many of the principal Knights, Gentlemen, and other Inhabitants of the County of *York*, directed to a worthy Knight of that County, being a Member of the House of Commons; and intended for the Information of both Houses of Parliament, concerning his Majesty's Purpose of raising his Standard at *Nottingham*, the present State of the Northern Parts, and the growing Mischiefs and Miseries like to overwhelm the whole Kingdom, by the great Oppressions exercised upon his Majesty's Subjects there; and other unlawful and dangerous Counsels and Proceedings of those, who, under Pretence of his Majesty's Service, are laying the Foundation of

y This Declaration is in *Rushworth* and *Husbands*; but the foregoing Letter, which gave Occasion to it, being omitted in those Collections, is supplied from the *Lords Journals*.

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'an Arbitrary and Tyrannical Government, or 'rather Confusion and Desolation, not only in those 'Parts, but in the whole Kingdom: Upon which, 'and other Informations and Discoveries, we think 'fit to publish and declare some few Observations, 'whereby the good Subjects of this Kingdom may 'better discern their own Danger; and be stirred 'up with more Earnestness to assist us in the Main-'tenance of Religion, and of the common Justice 'and Liberty of the Kingdom, all which seem to be 'in no less Hazard than if we had an Army of the '*Irish* Rebels in the Bowels of the Land.

'The *first* Observation is this; That now it 'plainly appears to the World, that there was good 'Grounds, for those Fears and Jealousies, so often 'expressed by both Houses, That his Majesty in-'tended to make War against his Parliament; and 'that the Oaths, Protestations, and Execrations, 'published in his Majesty's Name, disclaiming any 'such Purpose of War, were nothing but the De-'vices of those wicked Counsellors about him; 'that, under such Disguises and Pretensions of 'Peace, they might more closely arm and prepare 'themselves for War, and, by Violence, suppress the 'Parliament; and so to make Way for the Accom-'plishment of their own Designs, for the Alteration 'of Religion and the Government of the King-'dom.

'The *second*; That this War is said to be for 'the Defence of the Protestant Religion; and yet 'the most diligent Assistants and Promoters of it 'are Papists, and that corrupt and superstitious Part 'of the Clergy that were running towards Popery; 'wherein the Papists are so frequent, that they not 'only send in Horse and Arms, but, the better to 'qualify their Persons for this present Service, ma-'ny, heretofore constant Recusants, do now resort 'to Church, and take the Oaths of Supremacy and 'Allegiance. And with what Affections they look 'upon the Reformed Religion, is evident in the 'Speeches of those who robbed Mr. *Marwood*'s

'House,

'Houſe, calling his Wife *Proteſtant Whore* and *Puritan*, ſhe being a very virtuous Gentlewoman, and of good Quality; only the Hatred of Religion was it which provoked them to ſuch ignominious Language, which by thoſe Popiſh Cavaliers is proſecuted under the Name of *Roundhead*, as it hath been by the Prelatical Clergy under the Name of *Puritan*. An. 18. Car. I. 1642. Auguſt.

'A *third*; That Arms were taken from the honeſt Gentlemen, Yeomen, and Townſmen; and put into the Hands of ſuch deſperate Perſons, as cannot live but by Rapine and Spoil.

'A *fourth*; That notwithſtanding all the Vows and Proteſtations to govern by Law, which have been diſperſed throughout the Kingdom, to blind and deceive the People, the moſt miſchievous Principles of Tyranny are practiſed that ever were invented; that is, to diſarm the middle Sort of People, who are the Body of the Kingdom, and to maintain Soldiers by forced Contributions; to erect a Provincial Government in the North, clearly againſt the Common Law, and the Judgment given in this Parliament for taking away the Court at *York*: That the Contrivers and Inſtruments of theſe Miſchiefs, for their better ſtrengthening in theſe Deſigns, are about to join themſelves in an Aſſociation with other Counties: And that Directions are given, that ſuch as ſhall oppoſe, or not join with them, ſhall be violently plundered and pillaged.

'For the Prevention of theſe growing Evils and Miſchiefs, the Lords and Commons do declare,

'That all well-affected and good Subjects, who ſhall be plundered, pillaged, and ſuffer in their Eſtates, by any of the Cavaliers, or other Forces raiſed without Conſent of Parliament, ſhall have ſuch Reparation of their Damages, out of the Eſtates of thoſe who have been Actors and Counſellors in ſuch Violences; and likewiſe out of the Eſtates of all ſuch Perſons in any Part of the Kingdom whatſoever, who have withdrawn themſelves

'to

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'to *York*, and shall persist to serve the King in this 'War against the Parliament, by any Subscription, 'or Contribution, or otherwise have given Assist-'ance and Countenance to the Maintenance of it.

'That it shall be lawful for any Number of Per-'sons to join together, and to defend themselves 'and others from Rapine and Force: And the Earl 'of *Essex* (Lord-General of the Forces raised by the 'Lords and Commons, for the Defence of our Re-'ligion and Liberty, and for Protection of the op-'pressed Subjects of this Kingdom, and Lieutenant 'of the County of *York*) is desired to grant such 'Commissions for levying, leading, and conducting 'of Forces in the Northern Parts, as shall be 'thought requisite by his Excellency: And Sir '*John Hotham*, Governor of *Hull*, is required to 'give all Kind of Assistance, by the Garrison of the 'Town, and by furnishing them with Powder, Arms, 'and other Ammunition as he can spare. And 'for the better enabling of them in this their neces-'sary Defence, it is resolved, That further Supplies 'of Arms shall be sent thither as speedily as may 'be: That the Sheriff of the County of *York*, and 'the Sheriffs of the adjoining Counties, and all 'Lieutenants, Deputy-Lieutenants, Mayors, Ju-'stices of the Peace, and other his Majesty's Offi-'cers and loving Subjects, be aiding and assisting 'them in Defence of his Majesty's Subjects from 'all Oppression and Violence, with the Power of 'the Counties and Trained Bands.

'That it shall be lawful for all Lord-Lieutenants, 'Deputy-Lieutenants, Sheriffs, Mayors, Bailiffs, 'and Head Officers of Corporations, to disarm all 'Popish Recusants; and all other his Majesty's Sub-'jects are to be assisting unto them: And that it 'shall be lawful for any of his Majesty's Subjects to 'seize upon the Persons of all such as shall execute 'the illegal Commission of Array, or shall be Actors 'and Assistants in any of the afore-mentioned Op-'pressions and Violences; or shall furnish any Horse, 'Arms, Money, or other Aid or Contribution, for the

'Main-

'Maintenance of this unnatural War, raiſed by his 'Majeſty againſt his Parliament; and to ſeize upon 'their Horſes, Arms, Money, and other Proviſions, whereby they might be enabled to diſturb 'the Peace of the Kingdom.' An. 18. Car. I. 1642. Auguſt.

Auguſt 22. The Lords received Intelligence, That the King lay then before *Coventry*, and was playing upon the Town with his Ordnance; on account of their denying his Majeſty Entrance, and ſhutting their Gates againſt him. *Coventry* ſummoned by the King.

A long Remonſtrance was read, and agreed to be ſent to the States of *Holland*, by *Walter Strickland*, Eſq; againſt allowing Military Stores to be bought up, and ſhipped off from thence, for the Service of the King againſt the Parliament. One Reaſon alledged therein, was, 'That it was ex-'pected the *Dutch*, who had formerly received the 'Aſſiſtance of the *Engliſh*, to recover their Liberty, 'ſhould not now aſſiſt thoſe, whoſe Deſign was to 'deprive the *Engliſh* Nation of their Rights and 'Liberties.' The *Dutch* are deſired to refuſe ſelling him any Ammunition.

Auguſt 23. A Letter from the Earl of *Bath* to the Speaker of the Houſe of Lords, was read:

My Lord, Taviſtock, Aug. 15, 1642.

I Received laſt Night a Summons from your Honourable Houſe, requiring my Attendance there on Monday *next*, Auguſt 22, *according to his Majeſty's Writ. It is true I was ſummoned, at the Beginning of this Parliament, as of Right I ought; and did not fail to give my Attendance upon that Service, with as much Diligence and Affection to the Public as my poor Ability could expreſs; but I received many Interruptions, by Scorns, Menaces, and Affronts from the People inhabiting about* London *and* Weſtminſter, *contrary to the Conſtitution and Privileges of that and all other Councils; where the Members ought to come, ſit, and return, with Honour and Safety: And I do not ſee the Minds of thoſe People ſo ſettled and compoſed that I may hope for better Uſage: Wherefore I ſhall humbly* The Earl of *Bath*'s Reaſons for not attending the Parliament.

An. 18. Car. I. 1642. August. *bly desire their Lordships to excuse my Absence, until I may have some Confidence of enjoying that Honour and Safety, which, heretofore, I have not had. And so, with my Service to your Lordship, I remain*

Your Lordship's

Humble Servant,

BATH.

Ordered, That the Earl of *Bath* should be sent for as a Delinquent. And, upon further Information that he had great Store of Powder in his House in *Devonshire*, it was ordered, That Search should be made for such Powder, or Stores, and the same kept safe till the Pleasure of the House should be further known.

The same Day the Lords received Advice, That the City of *Coventry* having been encouraged to hold out against the King, by the Arrival of 300 Men from *Birmingham*, and by receiving Advice that Mr. *Hampden*, Mr. *Denzil Holles*, and Mr. *Goodwin* (who had taken out Colonels Commissions under the Earl of *Essex*) were marching to their Relief, his Majesty's Forces drew off, and departed towards *Nottingham*, in order to set up his Standard there: —— Though this Affair cannot properly be term'd a Parliamentary Proceeding in itself, yet as it took its Rise from thence, we apprehend it no unacceptable Digression to give some Account of the Manner of the King's erecting his Standard. ——

The King sets up his Standard at *Nottingham*.

Mr. *Rushworth* tells us, That

'The King came from *Coventry* on *Monday* the twenty-second of *August*, in the Morning, with some Lords and others in Company, to *Leicester*, where he dined that Day at the *Abbey*; and that presently after Dinner his Majesty again took Horse, and, with his Company, rode to *Nottingham*; where were great Preparations for the Setting up of the Standard that Day, as was formerly appointed.

'Not long after the King's coming to Town, the Standard was taken out of the Castle, and carried

ried into the Field, a little on the Backside of the Castle Wall. The Likeness of the Standard was much of the Fashion of the City Streamers used at the Lord Mayor's Show, having about twenty Supporters, and was carried after the same Way; on the Top of it hung a Flag, the King's Arms quartered, with a Hand pointing to the Crown, which stood above with this Motto, *Give Cæsar his Due*. The Names of those Knights Bannerets who were appointed to bear the Standard, *viz.* the chief of them, were Sir *Thomas Brooke*, Sir *Arthur Hopton*, Sir *Francis Wortley*, and Sir *Robert Doddington*. Likewise there were three Troops of Horse to wait upon the Standard, and to bear the same backward and forward, with about 600 Foot Soldiers. It was conducted to the Field in great State, the King, the Prince, and Prince *Rupert* (whom his Majesty had lately made Knight of the Garter) going along with it, with divers other Lords and Gentlemen of his Majesty's Train, besides a great Company of Horse and Foot, in all to the Number of about 2000. An. 18. Car. I. 1642. August.

'So soon as the Standard was set up, and his Majesty and the other Lords placed about it, a Herald at Arms made ready to publish a Proclamation, declaring the Ground and Cause of his Majesty's setting up his Standard, namely, to suppress the Rebellion of the Earl of *Essex*, in raising Forces against him, to which he required the Aid and Assistance of all his loving Subjects; but before the Trumpeters could sound to make Proclamation, his Majesty called to view the said Proclamation, which being given him, he privately read the same over to himself; and seeming to dislike some Passages therein, called for Pen and Ink; and, with his own Hand, crossed out, and altered the same in some Places, and then gave it the Herald; who proclaimed the same to the People, though with some Difficulty after his Majesty's Corrections: After the Reading thereof, the whole Multitude threw up their Hats, and cried, *God save the King*, with other such like Expressions.

'Not

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'Not long after the Reading of the ſaid Proclamation, it being towards Night, the Standard was taken down, and again carried into the Caſtle, with the like State as it was brought into the Field; and the next Day it was ſet up again, and his Majeſty came along with it, and made Proclamation as the Day before; and the like was alſo done on *Wedneſday*, his Majeſty being alſo preſent; but after that it was ſet up with leſs Ceremony.'

Lord *Clarendon*'s Account of this Matter runs thus: 'According to the Proclamation, upon the 25th Day of *Auguſt*, the Standard was erected, about ſix o'Clock in the Evening of a very ſtormy and tempeſtuous Day.[z] The King himſelf, with a ſmall Train, rode to the Top of the Caſtle-Hill; *Verney*, the Knight-Marſhal, who was Standard-Bearer, carrying the Standard, which was then erected in that Place, with little other Ceremony than the Sound of Drums and Trumpets. Melancholy Men obſerved many ill Preſages about that Time. There was not one Regiment of Foot yet brought thither; ſo that the Train'd Bands, which the Sheriff had drawn together, were all the Strength the King had for his Perſon and the Guard of the Standard. There appeared no Conflux of Men in Obedience to the Proclamation; the Arms and Ammunition were not yet come from *York*, and a general Sadneſs covered the whole Town. The Standard was blown down the ſame Night it had been ſet up, by a very ſtrong and unruly Wind, and could not be fixed again in a Day or two, till the Tempeſt was allayed. This was the melancholy State of the King's Affairs when the Standard was ſet up.'

Leaving

[z] *Whitlocke* and *Ruſhworth* both fix the twenty-ſecond of *Auguſt* as the Day of erecting the Standard. Lord *Clarendon*, in the Concluſion of his Fifth Book, and in the Beginning of the Sixth, makes it the twenty-fifth. The latter is evidently a Miſtake, ſince his Lordſhip ſays, That the King's Meſſage for an Accommodation was agreed on three Days after the erecting his Standard; and, in his own Hiſtory, as well as in the *Journals*, the ſaid Meſſage bears Date the twenty-fifth.

Leaving the Reader to reconcile these two Accounts, we return to our more certain Guides the *Journals* of Parliament. An. 18. Car. I. 1642. August.

August 25. A Letter to the Earl of *Essex*, from some Officers in his Army, concerning the relieving of *Coventry*, was read in the House of Lords as follows:

May it please your Excellency,

Letter from Sir *H. Cholmley*, &c. concerning their relieving of *Coventry*.

FRom Buckingham *we gave you an Account of our Intentions to relieve* Coventry, *which put us both upon long and hasty Marches, in which we were somewhat relieved by the Kindness of the Country as we passed along; especially in* Northamptonshire, *where our Soldiers had very good Entertainment, and the Assistance of* 120 *Dragoons.*

The last Night we came to Southam, *within ten Miles of* Coventry; *where we were no sooner settled than we had an Alarm, which kept us all under Guard the whole Night.*

This Morning, by that Time as one Regiment was drawn out of the Town, the adverse Horse was discovered; we made what Haste we could to draw out the rest of the Regiments into Order; but before we could well effect it, they had planted two Pieces of Canon, and advanced with Horse and Foot; the Number, as we conceive, were about 1200 *Horse, and about* 300 *Musqueteers and Firelocks, as Capt.* Legge *informs us; who, upon the planting of our Cannon, came to the Place where Serjeant-Major-General* Ballard *stood, who presently took him Prisoner; concerning whom we desire to know your Excellency's Pleasure what we shall do with him.*

After the Cannon had play'd a while on both Sides, they retreated in some Haste; and we, according to our former Resolutions, marched to this Place. There were slain of the adverse Party four Horses, and some Men both of the Horse and Foot; but, Thanks be to God, we did not receive any Prejudice at all from them.

We

An. 18. Car. I. 1642. August. *We are here at* Coventry, *ready to attend the next Occaſion of Service, or any Command that you ſhall be pleaſed to impoſe upon*

Your Excellency's

moſt humble Servants,

Coventry, Auguſt 23, 1642.

HENRY CHOLMLEY.
THO. BALLARD.
JOHN HAMPDEN.
NATH. FIENNES.

The Speaker was ordered to ſend theſe Gentlemen the Thanks of the Houſe, by Letter.

For ſome Months paſt the *Journals* have taken Notice of frequent Complaints againſt the unbounded Licenſe of the Preſs; and many Printers were committed to the *Gatehouſe*, and other Priſons, on that Account: For ſo eager was the Curioſity of the Public to know what the Houſe of Commons were doing, that ſome of their Declarations were privately printed the very Day they paſſed that Houſe, and before they were ſent up to the Lords for their Concurrence, of which we find many Inſtances. To remedy this, an Order concerning the Abuſes in Printing was this Day (*Auguſt* 26) made by both Houſes, as follows:

Order againſt the irregular Printing any Proceedings of Parliament.

'WHereas there hath been of late great Diſorders and Abuſes by irregular Printing, to the great Scandal of Religion and Government; and a Bill is in Preparation for the Redreſs of thoſe Miſchiefs, which, by reaſon of the preſent Diſtractions, cannot be ſo ſpeedily perfected and paſſed as is deſired: It is ordered by the Lords and Commons in Parliament, That no Perſon or Perſons ſhall print, publiſh, or utter any Book or Pamphlet, with the Name of the Clerk of either Houſe of Parliament ſet thereunto, or with any Expreſſion or Pretence of Order from both or either

'either of the said Houses, without special Order from the said Houses or either of them, or the Committees of them or either of them, concerning Printing, and the same to be entered in the Register-Book of the said Company, according to antient Custom; and the Masters and Wardens of the Company of Stationers of *London*, the Usher of the Black Rod, the Serjeant of the Commons House of Parliament, and their Deputies, are hereby authorized and required, from Time to Time, to make diligent Search for all such Books and Pamphlets to be hereafter printed; and the same to seize and take, together with the Presses and other Printing Materials, wherewith the same shall be printed, and carry them to the Common Hall of the said Company, there to remain till either House of Parliament shall otherwise dispose thereof; and all his Majesty's Officers shall, upon Request, aid and assist to apprehend Offenders in the Premises, and to bring them before the Lords or Commons House of Parliament, or the Committee appointed for printing; upon whose Report of the Fact, such Course shall be taken with the said Offenders as shall be just; and for that Purpose the Committee are to sit at such Times and Places as they shall think fit.' An. 18. Car. I. 1642. August.

Another Ordinance of Parliament was also made, for raising Money for carrying on the War, which has this remarkable Preamble:

'It is this Day ordered by the Lords and Commons in Parliament assembled, for the more speedy and effectual Provision of sufficient Treasure to be employed in quenching this unnatural War, now kindled in the Heart of this Kingdom, by Papists, Persons popishly affected, Traitors and Delinquents against his Majesty, That the several Persons hereafter named, *&c.*' The rest of the Order was, That those Persons should summon all the Resiants of every Ward in *London*, whether Freemen or others, to subscribe their Names in a Book, Another for raising Money.

An. 18. Car. I. 1642. Book, and what Money, Plate, Horſe, or Arms they would contribute to this Cauſe, &c.

Auguſt.

Auguſt 27. The Earl of *Southampton*, being ſent from the King at *Nottingham*, came into the Houſe of Lords, and took his Place; but, being preſently commanded to withdraw, went out of the Houſe again. The Lords were informed, that the ſaid Earl had a Meſſage to deliver to the Lords in Parliament, from the King; yet, in regard of the Manner of his coming into the Houſe, without giving any Notice of it before, either in one Kind or other, the Lords did not think fit that the ſaid Earl of *Southampton* ſhould be permitted to deliver the Meſſage; but that he ſhould ſend it in by the Gentleman-Uſher of this Houſe. Whereupon the Uſher was ſent out to the Earl with this Meſſage in Writing:

The Earl of *Southampton* comes from the King, with a Meſſage for Peace.

'That the Lords are not ſatisfied with the Manner of your Lordſhip's coming into the Houſe at this Time; they will not therefore receive any Meſſage from your Lordſhip; but, as it comes from his Majeſty, they are ready to receive it, with all Humility; and wiſh your Lordſhip to ſend it in unto them by the Hands of their Gentleman-Uſher.'

The Lords order it to be brought in by their Gentleman-Uſher.

The Earl's Anſwer: 'That he deſires to let their Lordſhips know, That he was commanded by the King to deliver this Meſſage to the Houſe; and he doth not know how his Majeſty will be pleaſed if he ſhould deliver it to Mr. *Maxwell*.'

'The Lords Reply: 'That they conceived the Delivery of the King's Meſſage to their Gentleman-Uſher, by their Command, is a Delivery of it to the Houſe.'

To which the Earl gave this Anſwer: 'That he deſired not to be preſſed to it, for he durſt not do it untill he had acquainted the King therewith.'

On this laſt Anſwer the Lords appointed a Committee of four, to draw up a Reſolution of the Houſe, touching this Buſineſs, which was to be

ſent

sent to the Earl by the said Usher; which was to this Effect: An. 18, Car. I. 1642. August.

'That the Lords were ready to receive, with 'Humility, the Message from the King, tho' not 'from his Lordship's Hands, because they were 'unsatisfied with his Carriage; therefore they sent 'their Gentleman-Usher to bring it to them; which 'he twice refusing, they shall account him answer- 'able for any ill Consequence that may ensue there- 'by; and their Lordships have not proceeded fur- 'ther against him at this Time, in respect he was 'employed by the King to this House; but do com- 'mand him forthwith to depart this Town.' And command the Earl to leave *London*.

Upon this the Earl sent in the King's Message by Mr. *Maxwell*, which was read in these Words:

'WE have, with unspeakable Grief of Heart, 'long beheld the Distractions of this our 'Kingdom: Our very Soul is full of Anguish un- 'till we may find some Remedy to prevent the Mi- 'series which are ready to overwhelm this whole 'Nation by a Civil War: And, tho' all our Endea- 'vours, tending to the composing of those unhappy 'Differences betwixt us and our two Houses of Par- 'liament, (though pursued by us with all Zeal and 'Sincerity) have been hitherto without that Suc- 'cess we hoped for; yet such is our constant and 'earnest Care to preserve the public Peace, that we 'shall not be discouraged from using any Expedient, 'which, by the Blessing of the God of Mercy, may 'lay a firm Foundation of Peace and Happiness to 'all our good Subjects. The Message

'To this End, observing that many Mistakes 'have arisen by the Messages, Petitions, and An- 'swers betwixt us and our two Houses of Parlia- 'ment, which happily may be prevented by some 'other Way of Treaty, wherein the Matters in 'Difference may be more clearly understood, and 'more freely transacted; we have thought fit to 'propound to you, that some fit Persons may be by 'you enabled to treat with the like Number to be

An. 18. Car. I. 1642. August.

'authorized by us, in such a Manner, and with 'such Freedom of Debate, as may best tend to that 'happy Conclusion which all good Men desire, The 'Peace of the Kingdom: Wherein as we promise, 'on the Word of a King, all Safety and Encou-'ragement to such as shall be sent to us, if you shall 'chuse the Place where we are for the Treaty, 'which we wholly leave to you; presuming of your 'like Care of the Safety of those we shall employ, 'if you shall name another Place: So we assure you, 'and all our good Subjects, that, to the best of our 'Understanding, nothing shall be therein wanting 'on our Parts, which may advance the true Prote-'stant Religion, oppose Popery and Superstition, 'secure the Law of the Land, (upon which is built 'as well our just Prerogative, as the Property and 'Liberty of the Subject) confirm all just Power and 'Privileges of Parliament, and render us and our 'People truly happy, by a good Understanding 'betwixt us and our Houses of Parliament.

'Bring with you as firm Resolutions to do your 'Duty: And let all our good People join with us 'in our Prayers to Almighty God for his Blessing 'upon the Work.

'If this Proposition shall be rejected by you, we 'have done our Duty so amply, that God will ab-'solve us from the Guilt of any of that Blood which 'must be spilt; and what Opinion soever other Men 'may have of our Power, we assure you nothing but 'our Christian and pious Care to prevent the Effu-'sion of Blood, hath begot this Motion; our Pro-'vision of Men, Arms, and Money being such as 'may secure us from further Violence, till it shall 'please God to open the Eyes of our People.'

When this was read, the Lords received a Mes-sage from the Commons, desiring a Conference about the same Message to them from the King, sent by Sir *John Colepeper*.

There was not that Difficulty in admitting this Messenger into the House of Commons, as in the Case of the Earl of *Southampton* with the Lords; for the

the Commons being inform'd by Mr. Speaker, that he had receiv'd a Letter from Sir *John Colepeper*, Chancellor of the *Exchequer*, ſignifying, that he was coming with a Meſſage from the King, which he could not deliver but as a Member of that Houſe; yet, in regard of an Order of the Houſe, he durſt not preſume to come till he had their Leave: A Debate aroſe thereupon, and a Motion being made, That the Queſtion for diſabling him to ſit as a Member ſhould be now put, it paſſed in the Negative by 69 againſt 26; ſo he was admitted to deliver the Meſſage. An. 18. Car. I. 1642. Auguſt.

At the Conference, held on this Occaſion, the Commons delivered two Reſolutions of theirs, to which they deſired the Lords Concurrence.

1. Reſolved, 'That this Houſe cannot give Anſwer to this Meſſage from his Majeſty, untill the Proclamations and Declarations be recalled, whereby the Earl of *Eſſex* and both Houſes, with their Adherents and Aſſiſtants, and ſuch as have obeyed and executed their Commands, or Directions, according to their Duties, are declared Traitors, or otherwiſe Delinquents; and untill the Standard, ſet up in purſuance of the ſaid Proclamations, be taken down.'——Read, but not then agreed to. The Reſolutions of both Houſes thereupon,

2. Reſolved, 'That the Lords be deſired to join with the Commons in a Direction to the Lord-General, That he advance his Forces with all poſſible Speed, for the Defence and Safety of the Kingdom; that this Houſe doth not this out of any Apprehenſion of Backwardneſs in the Lord-General, but to give Satisfaction that this Meſſage doth not render them any way ſlack in their Duties, for the Preſervation and Safety of the Kingdom.'——Read and agreed to.

The Meſſengers from the Houſe of Commons being called in, the Speaker told them, 'That the Lords concurred with them in the latter Vote; and, as to the former, they ſhould receive an Anſwer by Meſſengers of their own.'

A Committee being appointed for that Purpoſe, the following Anſwer to the King's laſt Meſſage was drawn up, and agreed to by both Houſes:

An. 18. Car. I. 1642. August.

May it pleaſe your Majeſty,

Their Anſwer to the ſaid Meſſage.

'THE Lords and Commons in Parliament aſſembled, having received your Majeſty's Meſſage of the 25th of *Auguſt*, do with much Grief reſent the dangerous and diſtracted State of this Kingdom; which we have, by all Means, endeavoured to prevent, both by our ſeveral Advices and Petitions to your Majeſty, which have been not only without Succeſs, but there hath followed that, which no ill Counſel in former Times hath produced, or any Age hath ſeen; namely, thoſe ſeveral Proclamations and Declarations againſt both Houſes of Parliament; whereby their Actions are declar'd Treaſonable, and their Perſons Traitors: And thereupon your Majeſty hath ſet up your Standard againſt them, whereby you have put the two Houſes of Parliament, and, in them, this whole Kingdom, out of your Protection; ſo that, untill your Majeſty ſhall recall thoſe Proclamations and Declarations, whereby the Earl of *Eſſex* and both Houſes of Parliament, and their Adherents and Aſſiſtants, and ſuch as have obeyed and executed their Commands and Directions, according to their Duties, are declared Traitors, or otherwiſe Delinquents; and untill the Standard, ſet up in purſuance of the ſaid Proclamations, be taken down; your Majeſty hath put us into ſuch a Condition, that, whilſt we ſo remain, we cannot, by the Fundamental Privileges of Parliament, the public Truſt repoſed in us, or with the general Good and Safety of this Kingdom, give your Majeſty any other Anſwer to this Meſſage.'

The King's Reaſons for ſending it.

It may be naturally inquired, What ſhould induce the King, within three Days after erecting his Standard at *Nottingham*, to ſend this Meſſage? —— Mr. *Ruſhworth* only gives the Meſſage, *&c.* without entering into the Reaſons of it; with which it is not likely, in his Situation, as only Clerk-Aſſiſtant of the Houſe of Commons, he could be acquainted. Mr. *Whitlocke* contents himſelf with ſaying, 'That not

not so many resorted to the King's Standard as was expected.'—But Lord *Clarendon* enters more largely into the King's Motives, recapitulates the desperate State of his Majesty's Affairs at this Juncture; and, upon the whole, imputes it, in great Measure, to the same Cause as Mr. *Whitlocke*.—Adding, 'That when, in this great Anxiety, some of the Lords about the King proposed to him the sending the above-mentioned Message, (which Proposal was no sooner made than, in a Manner, unanimously agreed to) his Majesty was so offended at it, that he declared, He would never yield to it, and broke up the Council that it might be no longer urged: But that the next Day, when they met again, they renewed the same Advice with more Earnestness. That the Earl of *Southampton* pressed it as a Thing that might do Good, and could do no Harm; and the King's Reasons, with Reference to the Insolence it would raise in the Rebels, and the Dishonour that would thereby reflect upon himself, were answered, by saying 'Their Insolence would be for the King's Advantage; and when they should reject the Offer of 'Peace, which it was believed they would do, they 'would make themselves the more odious to the 'People, who would be, thereby, the more inclined 'to serve the King.' That upon these, and other Reasons, and almost the concurrent Importunity of his Council, (Peace being so popular a Thing, that whosoever opposed it would be sure to be, by general Consent, a declar'd Enemy to his Country) the King was prevailed with to send this Message.

An. 18. Car. I. 1642. August.

August 29. Some Orders were made against breaking into Houses, under Pretence of searching for Arms, Powder, *&c.* by which many People were robbed and plundered; which Circumstance, alone, must have made the Country very miserable at that Time. A Petition from the Countess of *Rivers* was read, complaining, That two of her Houses, in *Essex* and *Suffolk*, had been plundered by tumultuous People, to the Value of 50,000 *l.*

Order against plundering of Houses.

An. 18. Car. I. 1642. August.

August 30. In the Proceedings of the Months of *March* and *April*, we gave an Account of a Petition from the County of *Kent*, the principal Actors wherein were impeached of high Crimes and Misdemeanors:—But this Day two Petitions, of a different Nature, were presented from that County to the House of Commons, which found as different a Reception; and will therefore make no improper Contrast to the other: For it appears by the *Journals*, That the House being informed that divers well-affected Gentlemen of *Kent* were at the Door, they were called in; and Sir *John Sedley*, in the Name of the rest, spoke to this following Effect:

Mr. Speaker,

Sir *John Sedley*'s Speech at the presenting two Petitions from *Kent*, approving of the Parliament's Proceedings.

'I Am intrusted, by the well-affected Gentry and Commons of *Kent*, to present their humble Desires, and faithful Resolutions, in a Petition to this Honourable House.

'This Petition comes guided hither with as many Hearts as Hands. It is like a Coat without Seam: It hath no subtle disguised Preamble to it: It is all of a Piece; speaking plain Language; yet full of Loyalty and Obedience to his Majesty and the Parliament.

'This Petition is more considerable than any that hath been presented from this County, coming not only from that Part of the Gentry who are exceedingly well affected to the true Religion, and their Country; but embraced with such an unanimous Consent of the entire Body of the Commonalty, as that each Man contested for the first Subscription to it.

'The Commons of *Kent* are very deeply sensible of the many Injuries done them by several Petitions, especially by that late unexampled bold one to his Majesty, falsly assuming to it the Votes of the whole County; whereas, indeed, it was contrived by a few malevolent and ambitious Spirits only, and wholly disclaimed by the Commons, and was subscribed by divers loose and dissolute Persons: This

was

was grown to a dangerous Impoſthume, (having gathered the moſt of its Corruption about the Town of *Maidſtone*) had not the Parliament timely obſerved it, and applied that ſeaſonable Remedy, ſending down the late Troops of Horſe to ***, [b] thereby preventing all further or future Ulcerations. For this vigilant Care of theirs, thus to preſerve the whole Body, the Commons have deſired me to return their moſt humble and grateful Acknowledgment to this Honourable Houſe.' An. 18. Car. I. 1642. Auguſt.

Then the Petitions were read.

To the Honourable the Knights, Citizens, and Burgeſſes, now aſſembled in the High Court of Parliament,

The HUMBLE PETITION and PROTESTATION of the KNIGHTS, GENTLEMEN, and COMMONS, of the County of *Kent*,

Sheweth,

THAT the Fear of Miſapprehenſions and Miſunderſtandings of our Duties and Reſpects to this Houſe, is that which emboldens us humbly to preſent our Affections and Proteſtations. The Petitions.

And, firſt, with all poſſible Thanks for your great Care and Reſolution, in the well Diſcharge of your public Truſt; which, with ſo much Oppoſition to you, (never read or heard of in former Times) you have hitherto undertaken, and encountered with the Hazard of ſome of your Lives and Fortunes: And we do all confidently believe, and much joy in the Thought of it, (notwithſtanding the Miſrepreſentation of your Actions by ſome, ill-affected to the Public Good, for private Ends) that all your Actions and Endeavours have aimed at the Maintenance of the Proteſtant Religion, the Preſervation of the King's Perſon, the Rights and Privileges of Parliament, and the Liberties of the Subject, according to the late Proteſtation commended to us.

And that there may not appear any Failure in our Duties and Reſpects to you, we, the Knights, Gentlemen,

[b] *Deeſt in Orig.*

An. 18. Car. I. 1642. August.

men, and Commons of the County aforesaid, do humbly present this Protestation: That, to our utmost Powers and Endeavours, and with the Hazard of all that is near or dear unto us, in our Lives and Estates, we shall and will maintain, preserve, and defend the Rights and Privileges of Parliament, and the full Authority thereof, the King's Person, the Protestant Religion, and the Liberties of the Subject.

And we humbly desire, that all ill-affected Persons opposite hereunto, may, by the Power and Justice of this House, receive such a Degree of Punishment, as those that are professed Enemies to the true Religion, and the Peace and Prosperity of this Kingdom.

And we humbly pray God, (whom we infinitely praise and thank for his Blessings hitherto upon your Endeavours, manifested in the happy Settlement of Peace betwixt us and our neighbour Nations, and in the Preservation of some of your Members from apparent Dangers) that those Mists of Misunderstanding, fomented by Persons ill-affected to our Public Peace and Religion, and now interposing betwixt his Majesty's Grace and Goodness to you, and your Duties to him; hindering those sweet Influences, which otherwise, in a great Measure, by all Probability, would leave a free Passage betwixt his Majesty and you, may, by your great Wisdoms, be so dispelled, and taken away, that a clear and right Understanding might be had of your Actions and Intentions to his Majesty and this Kingdom: And this (God working in his Majesty's Heart an Inclination thereunto) we are confident, will speedily render a great Proportion of Happiness to his Majesty, yourselves, and the rest of this Kingdom;

Which shall be the Prayers of * * * *. [c]

To the Right Honourable the COMMONS HOUSE of PARLIAMENT.

WE your humble and faithful Petitioners, inhabiting in the County of Kent, *being deeply sensible of the many Miseries which these calamitous Times (notwithstanding your great Care and Vigilance to prevent the same) are likely to produce; wherein his Gra-*

[c] The Subscribers Names are not enter'd in the *Journals*.

Gracious Majeſty, (ſeduced by the malevolent Counſel of an ill affected Party of Malignants and Cavaliers) the Proteſtant Religion, his Royal Perſon and Honour, the Privilege of Parliament, and the Subjects Liberty, are threatened with too too apparent Hazard and Ruin: Towards the Support of which, your Petitioners, according to the Duty of loyal Subjects, and good Chriſtians, are not only willing to contribute their beſt Wiſhes and Votes, but even the utmoſt of their Endeavours, both with their Lives and Fortunes, for the redeeming of his Majeſty from ſuch Hands, and our Religion and Liberty from ſuch Peril and Danger. But may it pleaſe this Honourable Houſe to conſider, That the Petitioners apprehend themſelves in a Condition and Poſture nothing ſuitable to this their Reſolution; being deprived, and left naked, by the taking our Arms from us, in the late Expedition for Scotland: *We therefore beſeech your provident Care to impower us with ſuch a Proportion of Ammunition and Arms, to be magazined in theſe Parts, whereby we may be enabled to manifeſt our Affections and Obedience to the Command of King and Parliament, both for the Purſuance of the aforeſaid Intentions, and Oppoſition of all illegal Infringements of our Laws and Liberties; ſuch as the Commiſſion of Array, wherewith we are at this Time threatened; and what other of the like Nature and Condition ſoever ſhall be hereafter obtruded upon us.*

An. 18. Car. I. 1642. Auguſt.

And your Petitioners ſhall be bound, *&c.*

To theſe Petitions the Speaker, in the Name of the Houſe, delivered the following Anſwer:

Gentlemen,

'I Am commanded by the Houſe to let you know, that it is no ſmall Satisfaction and Contentment to this Houſe, to find the Affections and Reſolutions of your County, expreſſed to them ſo ſeaſonably, and ſo worthy of yourſelves, as they now receive them in theſe Petitions; eſpecially, obſerving the many ſubtle Practices that have been ſet on

The Speaker returns Thanks to the Petitioners.

An. 18. Car. I. 1642. September.

on Foot, under the Name of that County, to work in this Houſe a contrary Opinion of you; from which you have now ſo well and fully vindicated yourſelves and them.

'Nor can they but obſerve, that at this Time, when, contrary to the Fundamental Conſtitution of this Government, both Houſes of Parliament, and the whole Kingdom in Them repreſented, All, by the Seducement of wicked Counſel, are proclaimed Traitors; (a Thing untill this Time unheard-of) you do, with ſo much Zeal and Reſolution, offer yourſelves, your Lives and Fortunes, to ſupport your Religion and Liberty, your Country, King, and Parliament, all now in imminent Danger of utter Ruin: For which the Houſe hath commanded me to return you their moſt hearty Thanks And touching theſe malignant and ill-affected Perſons, whereof you have, in your Petition, given a general Character; and in particular preſented a Liſt of ſome of them; this Houſe doth aſſure you, that they will, according to your Deſires, proceed againſt them with all Expedition and Severity. And, concerning your Deſires for a Supply of Ammunition and Arms, for the Defence of your County, ſuch hath been the Care of both Houſes in that Particular, and for the general Security and Peace thereof, that they have already granted full Power and Inſtructions to a Committee, and the Deputy-Lieutenants appointed by them for your County, to take a Courſe therein, which they doubt not will give you ample Satisfaction.'

September. In the firſt Day's Entry of this Month, we find nothing material, except that Intelligence was brought to the Lords, of the apprehending of the Earl of *Carliſle*, the Biſhop of *Ely*, and the Heads of Colleges in *Cambridge*, who had found Means to convey away their Plate to the King. The Earl was committed to the Cuſtody of the Black Rod, for the preſent; but the Biſhop with the reſt were ordered to the *Tower*.

Septem-

September 2. Informations came, also, from several Parts, as from *Oxford*, *Worcester*, *&c.* of the Plunderings and Wastings committed by the King's Forces, called, now, *Cavaliers* in the *Journals*; and proper Orders were sent to their General to grant such Commissions, as he should think necessary for settling the Peace in those Counties, and the Protection of the King's Subjects. An. 18. Car. I. 1642. September.

Sir *Robert Harley*, this Day, brought up an Order, made by the Commons, to forbid Stage Plays; which, for its Singularity, deserves our Notice.

An Order for suppressing of Stage Plays.

'WHereas the distressed Estate of *Ireland*, steeped in her own Blood, and the distracted Estate of *England*, threatened with a Cloud of Blood by a Civil War, call for all possible Means to appease and avert the Wrath of God, appearing in these Judgments; amongst which, Fasting and Prayer hath been often tried to be very effectual, and have been lately and are still enjoined: And whereas public Sports do not well agree with public Calamities; nor public Plays with the Seasons of Humiliation; this being an Exercise of sad and pious Solemnity, and the other being Spectacles of Pleasure, too commonly expressing lascivious Mirth and Leachery: It is, therefore, thought fit and ordained by the Lords and Commons, *&c.* That while those sad Courses and set Times of Humiliations do continue, public Stage-Plays shall cease and be forborne; instead of which are recommended to the People of this Land, the profitable and seasonable Consideration of Repentance, Reconciliation, and Peace with God; which, probably, may produce outward Peace and Prosperity, and bring again Times of Joy and Gladness to these Nations.'

Agreed to by the Lords.—As was also the following Order for banishing the Capuchin Friers, who had been settled at *Somerset-House*, in pursuance of the Marriage Articles between the King and Queen, *viz.* The

An. 18. Car. I. 1642. September.

'THE Lords and Commons now in Parliament assembled, beholding the Hand of God gone out against this Kingdom in a Civil War, already begun in the Land; and looking higher than the pernicious Counsellors of it, or wicked Instruments employed in it; and laying to Heart the Displeasure of Almighty God for our many crying Sins, among which none doth more provoke the Eyes of his Jealousy, than the Abomination of Idolatry and false Worship; and notwithstanding his Majesty's Proclamations for the banishing of all Jesuits and Priests, (the Bringers in and Maintainers of this cursed Sin) and the strict Command of the Lords and Commons, for the speedy sending of all Capuchin Friers out of this Land; yet, through the Remissness of those entrusted in that Service, the said Priests and Capuchins do still continue in or about the Suburbs of *London*, to the further Incensing of the Wrath of God against this Nation, the Poisoning of the Minds and Consciences of his Majesty's Subjects, and the apparent Danger of this Church and State; do therefore order, That all the Capuchin Friers at *Somerset-House*, shall be forthwith removed out of his Majesty's Dominions; and all the Monuments of Idolatry, which are there set up, demolished.'

Another for banishing the Queen's Capuchin Friers.

September 3. The Earl of *Carlisle* was committed to the Tower, and Witnesses ordered to be produced against him, to prove the Activeness of the said Earl, in endeavouring to put the Commission of Array in Execution, in the County of *Essex*.

September 5. The Speaker acquainted the Lords, That the Lord *Spencer* had a Message to deliver from the King; on which the Lords sent out the Gentleman-Usher, as before, to receive it, who brought it in, and delivered it to be read, *in hæc Verba:*

The King's second Message for Peace.

'WE will not repeat what Means we have used to prevent the dangerous and distracted Estate of the Kingdom; nor how those

'Means

'Means have been interrupted; becauſe, being de- An. 18. Car. I.
'ſirous to avoid Effuſion of Blood, we are willing 1642.
'to decline all Memory of former Bitterneſs, that September.
'might make our Offer of a Treaty leſs readily ac-
'cepted.

'We never did declare, nor ever intended to de-
'clare, both our Houſes of Parliament Traitors, or
'ſet up our Standard againſt them; and much leſs
'to put them and this Kingdom out of our Protec-
'tion: We utterly profeſs againſt it before God
'and the World. And further, to remove all poſ-
'ſible Scruples, which may hinder the Treaty ſo
'much deſired by us, we hereby promiſe (ſo that a
'Day be appointed by you for the revoking of
'your Declarations againſt all Perſons as Traitors
'or otherwiſe, for aſſiſting of us) we ſhall, with all
'Chearfulneſs, upon the ſame Day, recall our Pro-
'clamations and Declarations, and take down our
'Standard: In which Treaty we ſhall be ready to
'grant any Thing that ſhall be really for the Good
'of our Subjects, conjuring you to conſider the
'bleeding Condition of *Ireland*, and the dangerous
'Condition of *England*, in as high a Degree as, by
'theſe our Offers, we have declared ourſelf to do;
'and aſſuring you that our chief Deſire, in this
'World, is to beget a good Underſtanding, and mu-
'tual Confidence, betwixt us and our two Houſes
'of Parliament.'

The Lords, taking this Meſſage into Conſidera-tion, appointed a Committee to prepare an Anſwer to it; but at the ſame Time, reſolved, That the Lord-General ſhall proceed with his Forces, accord-ing to former Reſolutions.

The ſame Day the Commons being informed, That the Lord *Falkland* was at the Door with a Meſſage from the King, it was ordered, That he be received in the ſame Manner as Sir *John Cole-peper* had been. Which was done accordingly

A Conference between the two Houſes was held on this Meſſage; after which the Commons ſent up the following Votes for the Lords Concurrence.

Ibid.

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Resolutions of both Houses thereupon;

1*st*, Resolved, 'That the King, in proclaiming the Earl of *Essex*, and all his Adherents, Traitors, hath declared both Houses to be Traitors, who have published their Resolutions to adhere to him, he having done nothing but by their Authority and Direction; and doth hereby put them and the whole Kingdom out of his Protection. To prove this, the Proclamations and the King's Instructions, given to the Commissioners of Array since the last Message, are sufficient Evidence.

2*dly*, 'That the King not having removed those Impediments mentioned in our former Answer, we do resolve to adhere thereunto: Which is, That so long as the Standard is up, and the Proclamation and Declaration unrevoked, we cannot make any other. Only we desire it may be considered, what a Dishonour and Scorn is cast upon us, in that we, and the whole Kingdom, are put into the same Balance with Traitors and Delinquents: And as for that Proposition of the King's, *That when we shall appoint a Day to revoke our Declaration against all Persons as Traitors or otherwise, for assisting his Majesty, he will, upon the same Day, revoke his Proclamations and Declarations, and take down his Standard*; we cannot admit of it without the greatest Danger and Dishonour to the Kingdom and Parliament, by the consenting to the Preservation and Indemnity of those who have been so apparently active to the Destruction of both.

3*dly*, 'That we are as desirous of a good Understanding betwixt his Majesty and his Subjects, as sensible of the bleeding and distempered Estate of *England* and *Ireland*, and as careful to settle a good Peace in both, as any Subjects of this Kingdom have ever been: And we do, with much Grief, remember that many Things are done which give us just Cause to believe that there are not the like Intentions in his Majesty and those who govern his Affairs; in that the Ships appointed for the Guard of *Ireland* have been recalled by his Majesty's Warrant; the Provision of Cloaths, to be sent to the Army there, have been taken away by his Troopers, upon the

the Road; and the Horſes, Waggons, and other Neceſſaries, provided for *Cheſter*, ſent for by his Command; alſo, his Majeſty keeping that Kingdom without the Chief Governor; whereby the Army at *Dublin*, maintained at the great Charge of this Kingdom, is made unprofitable, and the Rebels grown ſo inſolent as to exerciſe hoſtile Acts, even to the very Walls of that City. Beſides many other Impediments given to the *Iriſh* Affairs, mentioned in an Anſwer of this Houſe to a Meſſage from his Majeſty, of the 13th of *Auguſt* laſt.'

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Reſolved, That this Houſe agrees with the Houſe of Commons in all theſe Votes.

This Day the Earl of *Eſſex* was declared Lord-Lieutenant of the County of *Salop*, in the room of the Lord Keeper *Littleton*.

September 6. Another, and a yet ſtronger, Vote of the Commons, was ſent up to the Lords, for their Concurrence, which was alſo as readily agreed to by them, to this Effect:

'Whereas his Majeſty, in a Meſſage, received the 5th of *September*, requires that the Parliament ſhould revoke their Declarations againſt ſuch Perſons as have aſſiſted him in this unnatural War againſt this Kingdom, it is this Day ordered and declared by the Lords and Commons, That the Arms which they have been, and ſhall be, forced to take up, for Preſervation of the Parliament, Religion, Laws, and Liberties of the Kingdom, ſhall not be laid down, untill his Majeſty ſhall withdraw his Protection from ſuch Perſons as have been, or ſhall be, voted, by both Houſes, to be Delinquents; and ſhall leave them to the Juſtice of Parliament, to be proceeded with according to their Demerits; to the end that both this and ſucceeding Generations may take Warning, with what Danger they incur the like heinous Crimes: And, alſo, to the end that thoſe great Charges and Damages, wherewith all the Commonwealth hath been burthened in the Premiſes, ſince his Majeſty's Departure from the Parliament

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liament, may be borne by the Delinquents and other malignant and disaffected Persons; and that all his Majesty's good and well-affected Subjects, who, by Loan of Monies, or otherwise, at their Charge, have assisted the Commonwealth, or shall, in like Manner, hereafter assist in Time of extreme Danger, may be repaid all Sums of Money by them lent for those Purposes, and be satisfied all their Charges so sustained, out of the Estates of the said Delinquents and of the malignant and disaffected Party in this Kingdom.'

On the Basis of all these Votes and Resolutions, a Committee of both Houses had drawn up another Answer to the King; which was this Day read and agreed to, and was in these Words:

To the King's most Excellent Majesty,

The HUMBLE ANSWER *and* PETITION *of the Lords and Commons assembled in Parliament, unto the King's last* MESSAGE.

May it please your Majesty,

Their Answer to the King's second Message.

'IF we, the Lords and Commons in Parliament assembled, should repeat all the Ways we have taken, the Endeavours we have used, and the Expressions we have made unto your Majesty, to prevent those Distractions and Dangers your Majesty speaks of, likely to fall upon this Kingdom, we should too much enlarge this Reply.

'Therefore, as we humbly, so shall we only, let your Majesty know, that we cannot recede from our former Answer, for the Reasons therein expressed; for that your Majesty hath not taken down your Standard, nor recalled your Proclamations and Declarations, whereby you have declared the Actions of both Houses of Parliament to be Treasonable, and their Persons Traitors; and you have published the same, since your Message of the 25th of *August*, by your late Instructions sent to your Commissioners of Array: Which Standard being

'being taken down, and the Declarations, Proclamations, and Instructions recalled, if your Majesty shall then, upon this our humble Petition, leave your Forces, return unto your Parliament, and receive their faithful Advice, your Majesty will find such Expressions of our Fidelities and Duties, as shall assure you, that your Safety, Honour, and Greatness can only be found in the Affections of your People, and the sincere Counsels of your Parliament; whose constant and undiscouraged Endeavours and Consultations have passed through Difficulties unheard of, only to secure your Kingdoms from the violent Mischiefs and Dangers now ready to fall upon them, and every Part of them; who deserve better of your Majesty, and can never allow themselves (representing your whole Kingdom) to be balanced with those Persons, whose desperate Dispositions and Counsels still prevail so to interrupt all our Endeavours for the relieving of bleeding *Ireland*, as we may fear our Labours and vast Expences will be fruitless to that distressed Kingdom.

'As your Presence is thus humbly desired by us, so is it in our Hopes your Majesty will, in your Reason, believe there is no other Way than this to make your Majesty's self happy and your Kingdoms safe.'

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September 8. The Lords received a Letter from the Earl of *Bedford*, General of the Horse, dated from *Sherborne*, in *Dorsetshire*, *September* 6, desiring a Reinforcement of three Regiments of Foot, and three Troops of Horse: Also another from Sir *William Waller*, acquainting them with the Reduction of *Portsmouth* Town and Fort to the Obedience of Parliament.

Portsmouth reduced to the Parliament's Obedience.

September 9. In the Morning of this Day, the Earl of *Essex* acquainted the Lords, That he intended to set out, in a few Hours, for *St. Alban*'s, to perform the Commands of both Houses; and therefore desired to take his Leave of them together:

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Hereupon a Conference was immediately held for that Purpoſe.

Both Armies now drawing near one another, a deciſive Battle was daily expected between the Subjects of the ſame King; contending which Party ſhould teſtify their Loyalty moſt: thoſe that fought for him and with him, or thoſe who, under the new Diſtinction of theſe Times, profeſſed to defend the Political Perſon of the King, whilſt they actually fought againſt his real one.

September 10. The Lord *Montague* of *Boughton* was ſent to the *Tower*, for executing the Commiſſion of Array in *Northamptonſhire*; [c] as was alſo the Earl of *Berkſhire*, for attempting the ſame in *Oxfordſhire*, though his Deſign was prevented from being put in Execution, by Mr. *Hampden* and Mr. *Whitlocke*. [d] The Lords being alſo informed, that Mr. *Aſhburnham* was come with a Meſſage from the King, and had been in Town ſince Yeſterday; the Uſher of the Black Rod was ſent to find him out, to take him into Cuſtody, and bring him before them.

A long Declaration of both Houſes of Parliament, to their Brethren in *Scotland*, was agreed to, containing many kind Expreſſions, *&c.* [e] wiſhing an Uniformity in Church Government might be eſtabliſhed, for ſettling one Confeſſion of Faith, one Liturgy or Directory of the public Worſhip of God, and one Catechiſm, in all the three Kingdoms. In which was inſerted this Reſolution of the *Engliſh* Parliament, Reſolved, *Nem. Con.* 'That the Government of the Church of *England*, by Archbiſhops,

[c] Lord *Clarendon* obſerves, That the Parliament were ſo determined to puniſh every Perſon that appeared in Favour of the Commiſſion of Array, that this Lord could meet with no Indulgence; although he was above Eighty Years of Age, Brother to the Earl of *Manchester*, Uncle to the Lord *Kimbolton*, and had a Son in the Houſe of Commons very unlike himſelf.

Hiſtory, Vol. III. 8*vo. Edit.* p. 20.

[d] *Memorials*, p. 59.

[e] Ever ſince the Beginning of this Parliament, the *Scots* were ſtyled Brethren; and, in Conformity with this Appellation, the Grant of 300,000*l.* for Payment of their Army, after the Pacification, was call'd Brotherly Aſſiſtance Money. See before in Vol. IX.

shops, Bishops, their Chancellors and Commissaries, Deans, and Deans and Chapters, Archdeacons, and other Ecclesiastical Officers, hath been found, by long Experience, a great Impediment to the perfect Reformation and Growth of Religion, and very prejudicial to the State and Government of this Kingdom; and that the same should be taken away,' The Parliament resolve to abolish Episcopacy.

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Nothing else material for some few Days.

Altho', by the foregoing Resolutions and Answers of both Houses, the King found there was no Accommodation likely to be had, unless he would surrender up himself and all his Friends to the Mercy of the Parliament, he was prevailed upon to make yet another Application to them for Peace: Accordingly,

September 13. A Message from the King, directed to the Speaker of the House of Lords, was brought in, and read *in hæc Verba;*

The King's Third Message for Peace.

'WHO have taken most Ways, used most Endeavours, and made most real Expressions, to prevent the present Distractions and Dangers, let all the World judge, as well by former Passages, as by our two last Messages; which have been so fruitless, that (though we have descended to desire and press it) not so much as a Treaty can be obtained, unless we would denude ourself of all Force, to defend us from a visible Strength marching against us; and admit those Persons as Traitors to us, who, according to their Duty, their Oaths of Allegiance, and the Law, have appeared in Defence of us their King and Liege Lord, whom we are bound, in Conscience and Honour, to preserve; tho' we disclaimed all our Proclamations and Declarations, and the erecting of our Standard as against our Parliament.

'All we have now left in our Power is, to express the deep Sense we have of the Public Misery of this Kingdom, in which is involved that of our distressed Protestants of *Ireland*, and to apply ourself to our necessary Defence; wherein we wholly rely upon the Providence of God, the Justice of

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'our Cauſe, and the Affection of our good People; 'ſo far we are from putting them out of our Pro- 'tection.

'When you ſhall deſire a Treaty of us, we ſhall, 'piouſly, remember whoſe Blood is to be ſpilt in 'this Quarrel, and chearfully embrace it; and as 'no other Reaſon induced us to leave our City of '*London*, but that with Honour and Safety we could 'not ſtay there; nor to raiſe any Force, but for the 'neceſſary Defence of our Perſon and the Law, 'againſt Levies in Oppoſition to both; ſo we ſhall 'ſuddenly and moſt willingly return to the one, and 'diſband the other, as ſoon as thoſe Cauſes ſhall be 'removed.

'The God of Heaven direct you, and, in Mer- 'cy, divert thoſe Judgments which hang over this 'Nation; and ſo deal with us and our Poſterity, as 'we deſire the Preſervation and Advancement of 'the true Proteſtant Religion, the Law and the Li- 'berty of the Subject, the juſt Rights of Parliament, 'and the Peace of the Kingdom.'

Ordered, That the Conſideration of this Meſſage be referred to the Committee for the Safety of the Kingdom; and that it be communicated to the Houſe of Commons.

September 14. Sir *Robert Harley* brought up an Impeachment of High Treaſon againſt *James* Lord *Strange*, Son and Heir Apparent of *William* Earl of *Derby*, in theſe Words:

An Impeachment againſt the Lord *Strange* for High Treaſon.

I. 'THAT the ſaid *James* Lord *Strange*, to 'the Intent to ſubvert the Fundamental 'Laws and Liberties and very Being of Parliaments, 'and to ſet Sedition between the King and his 'People, did, upon the 15th Day of *July*, in this 'preſent Year of our Lord 1642, at *Mancheſter*, 'in the County of *Lancaſter*, and at ſeveral other 'Times and Places, actually, maliciouſly, rebelli- 'ouſly, and traiterouſly, ſummon and call together 'great Numbers of his Majeſty's Subjects, and in- 'cite,

'cite, perſuade, and encourage them to take up Arms and levy War againſt the King, Parliament, and Kingdom. An. 18. Car. I. 1642. September.

II 'That the ſaid *James* Lord *Strange*, in further Proſecution of his aforeſaid wicked, traiterous, and malicious Purpoſes, did, upon the ſaid fifteenth Day of *July*, at *Mancheſter* aforeſaid, and at ſeveral other Times and Places, actually, maliciouſly, rebelliouſly, and traiterouſly, raiſe great Forces of Men and Horſe, and levied War againſt the King, Parliament, and Kingdom.

III. 'In further Proſecution of the aforeſaid wicked, traiterous, and malicious Purpoſes, the ſaid *James* Lord *Strange*, and divers other Perſons whom he had drawn into his Party and Faction, did alſo, upon the ſaid 15th Day of *July*, at *Mancheſter* aforeſaid, maliciouſly and traiterouſly, with Force and Arms, and in an hoſtile and warlike Manner, kill, murder, and deſtroy, *Richard Percival*, of *Kirkmanſhalme*, in the ſaid County of *Lancaſter*, Linen-Webſter; and did then and there, at divers other Times and Places, in the like hoſtile Manner as aforeſaid, ſhoot, ſtab, hurt, and wound divers others of his Majeſty's good Subjects, contrary to the Laws and Peace of this Kingdom of *England*, and contrary to his Majeſty's Royal Crown and Dignity.

IV. 'The ſaid *James* Lord *Strange* hath ſet Sedition between the King and his People, and now is in open and actual Rebellion againſt the King, Parliament, and Kingdom.

'For which Matters and Things the Knights, Citizens, and Burgeſſes of the Houſe of Commons do, in the Name of themſelves, and of all the Commons of *England*, impeach the ſaid *James* Lord *Strange* of High Treaſon.

'And the ſaid Commons, by Proteſtation, ſaving to themſelves the Liberty of exhibiting, at any Time hereafter, any other Accuſation, *&c* [*in the uſual Form*] do pray that the ſaid *James* Lord *Strange* may be put to anſwer all and every the Premiſes, that ſuch Proceedings, Examinations, Trials, and

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'Judgment, may be upon them, and every one of 'them, had and uſed, as ſhall be agreeable to Law 'and Juſtice.'

Ordered, That the Anſwer to be returned to the Houſe of Commons ſhall be, 'That this Houſe hath received the Impeachment againſt the Lord *Strange*; and that they will take the beſt Courſe they can to have the Lord *Strange* brought to anſwer the ſaid Impeachment.'

The Lords taking into conſideration what Courſe to take for ſending to ſummon the Lord *Strange* to appear, and anſwer his Impeachment of High Treaſon; and conſidering that, if Meſſengers be ſent they will be impriſoned, and if Proclamation-Writs be ſent down they will not be ſealed: Therefore they thought fit to communicate this to the Houſe of Commons, to adviſe in this Caſe how Delinquents may be brought up to Trial: A Meſſage was accordingly ſent, by Sir *Robert Rich* and Mr. *Page*, to deſire a Conference with the Commons, concerning the Impeachment of the Lord *Strange*.

September 15. The Commons ſent up to deſire the Lords to write to the Lord General to advance the Army towards the Place where the King was, as ſoon and as conveniently as ſo great a Body can move, and as, in his Wiſdom, he ſhall think fit; and that a Petition and Inſtructions ſhall be ſent after him: But the Lords thought fit the Lord-General ſhould have the Petition and Inſtructions before he marched his Army, and that the Commons be deſired to haſten them.

An Order was made, in the Nature of a Proclamation, againſt the Lord *Strange*, to be printed and publiſhed in all Churches and Chapels, and all Market Towns, *&c.* prohibiting all Perſons to join with or aſſiſt him with Men, Money, Ammunition, *&c.*

An Anſwer to the King's laſt Meſſage to the Parliament was this Day read and agreed to, and ordered

dered to be presented to his Majesty by Sir *Richard May*. It was as follows: An. 18. Car. I. 1642. September.

To the King's Most Excellent Majesty,

The HUMBLE ANSWER *of the Lords and Commons in Parliament assembled, to his Majesty's last* MESSAGE *of the* 11*th of* September, 1642.

May it please your Majesty,

'WE the Lords and Commons in Parliament assembled, do present this our humble Answer to your Majesty's Message of the 11th of this instant *September*. When we consider the Oppressions, Rapines, Firing of Houses, and Murders (even at this Time when your Majesty propounded a Treaty) committed upon your good Subjects by your Soldiers, in the Presence, and by the Authority of their Commanders, being of the Number of those whom your Majesty holds yourself bound in Honour and Conscience to protect, as Persons doing their Duties; we cannot think that your Majesty hath done all that in you lies to prevent or remove the present Distractions; nor so long as your Majesty will admit no Peace, without securing the Authors and Instruments of these Mischiefs from the Justice of the Parliament; which yet shall be ever dispensed, with all requisite Moderation and Distinction of Offences, although some of those Persons be such, in whose Preservation your Kingdom cannot be safe, nor the unquestionable Rights and Privileges of Parliament be maintained, without which the Power and Dignity thereof will fall into Contempt. The Parliament's Answer to the King's last Message.

'We beseech your Majesty therefore to consider your Expressions, *That God shall deal with you and your Posterity, as your Majesty desires the Preservation of the just Rights of Parliament*; which being undeniable in the Thing, of such as we have declared to be Delinquents, we shall believe that your Majesty, both towards yourself and Parliament, will not, in this Privilege we are most sen-

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'sible of, deny us that which belongs unto the 'meaneſt Court of Juſtice in this Kingdom. Nei-'ther hath your Majeſty Cauſe to complain, That 'you are denied a Treaty, when we offer all that 'a Treaty can produce, or your Majeſty expect; 'Security, Honour, Service, Obedience, Support, 'and all other Effects of humble, loyal, and faith-'ful Subjection; and ſeek nothing but that our Re-'ligion, Liberty, Peace of the Kingdom, and Safe-'ty of the Parliament may be ſecured from the open 'Violence and cunning Practices of a wicked Party, 'who have long plotted our Ruin and Deſtruction.

'And if there were any Cauſe of Treaty, we 'know no competent Perſons to treat betwixt the 'King and Parliament; and if both Cauſe and Per-'ſons were ſuch as to invite a Treaty, the Seaſon 'is altogether unfit, whilſt your Majeſty's Standard 'is up, and your Proclamations and Declarations 'unrecalled, wherein your Parliament is charged 'with Treaſon.

'If your Majeſty ſhall perſiſt to make yourſelf a 'Shield and Defence to thoſe Inſtruments, and ſhall 'continue to reject our faithful and neceſſary Ad-'vice of ſecuring and maintaining Religion and Li-'berty, with the Peace of the Kingdom and Safe-'ty of the Parliament; we doubt not but, to indif-'ferent Judgments, it will appear who is moſt ten-'der of that innocent Blood which is like to be ſpilt 'in this Cauſe; your Majeſty, who, by ſuch Per-'ſiſting, doth endanger yourſelf and your King-'doms; or we, who are willing to hazard ourſelves 'to preſerve both.

'We humbly beſeech your Majeſty to conſider 'how impoſſible it is that any Proteſtations, though 'publiſhed in your Majeſty's Name, of your Ten-'derneſs of the Miſeries of your Proteſtant Subjects 'in *Ireland*, or your Reſolution to maintain the 'Proteſtant Religion and Laws of this Kingdom, 'can give Satisfaction to reaſonable and indifferent 'Men; when, at the ſame Time, divers of the '*Iriſh* Traitors and Rebels, the known Favourers 'of them, and Agents for them, are admitted to

'your

'your Majesty's Presence with Grace and Favour, and some of them employed in your Service; when the Cloaths, Munition, Horse, and other Necessaries bought by your Parliament, and sent for the Supply of the Army against the Rebels there, are violently taken away; some by your Majesty's Command, others by your Ministers, and applied to the Maintenance of an unnatural War against the People here. An. 18. Car. I. 1642. September.

'All this notwithstanding, as we never gave your Majesty any just Cause for withdrawing yourself from your great Council; so it hath ever been, and shall ever be, far from us to give any Impediment to your Return; or to neglect any proper Means of curing the Distempers of the Kingdom, and closing the dangerous Breaches betwixt your Majesty and your Parliament, according to the great Trust which lies upon us. And if your Majesty shall now be pleased to come back to your Parliament without your Forces, we shall be ready to secure your Royal Person, Crown, and Dignity, with our Lives and Fortunes; your Presence in this great Council being the only Means of any Treaty betwixt your Majesty and them with Hope of Success.

'And in none of our Desires to your Majesty shall we be swayed by any particular Man's Advantage, but shall give a clear Testimony to your Majesty and the whole World, That, in all Things done by us, we faithfully intend the Good of your Majesty and of your Kingdom; and that we will not be diverted from this End by any private or Self-respects whatsoever.'

September 17. An Impeachment of High Treason was sent up by the Commons and read, but not entered in the *Journals*, against the Marquis of *Hertford*, Lord *Pawlet*, Lord *Seymour*, *John Digby*, Esq; Sir *John Pawlet*, Sir *John Stawel*, Sir *Ralph Hopton*, Sir *Charles Berkley*, Sir *Edward Berkley*, Sir *Henry Berkley*, Sir *Edward Rodney*, Sir *Francis Dod-* The Commons impeach the Marquis of *Hertford*, *&c.* of High Treason.

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Doddington, *Edmund Windham*, *Thomas Smith*, and *Edward Kirton*, Eſqrs.

September.

September 19. The Lord *Mohun*, Sir *Peter Courtney*, and Sir *Nicholas Slanning* were ordered to be ſent for as Delinquents, on the Commiſſion of Array. The Lord *Mohun* had ſent the following Letter to the Houſe, in Excuſe of his Abſence, along with the King's Writ of Diſpenſation for the ſame, and a Command not to obey any Summons from Parliament to the contrary.

To the Right Honourable the LORDS aſſembled in Parliament.

My Lords, Sept. 7, 1642.

Lord *Mohun*'s Letter of Excuſe for not attending the Houſe.

I Muſt ſubmit to your Lordſhips, who are to be the Acquitters of my Innocency, whether it be agreeing to the Orders of your Houſe, the Privilege of Peers, and the Precedents of former Times, that a Peer unheard, and not a Witneſs examined againſt him, ſhould be ſent for in this Manner, as a common Rogue, to appear before your Lordſhips.

This certainly, if I was guilty, is a very ſevere Courſe; if innocent, is too great a Puniſhment: And I beſeech your Lordſhips, if this be without a Precedent, to be very careful how you involve your Poſterity in Precedents of this Nature; and I do not conceive that the Crimes objected are of that Nature, but, if your Lordſhips ſo pleaſe, they might, by the Laws of the Land, be tried in a far milder Way.

I had the Honour to ſit in Parliament, as a Peer, till about the Beginning of February *laſt; at which Time there was a great Buſtle about getting your Lordſhips to agree with the Houſe of Commons in the Militia; where I ſtill gave my Vote according to my Conſcience, as long as I could ſit there with the Safety of my Perſon and Honour; which when I could no longer do, for the Tumults that then ſwarmed about both Houſes of Parliament, I begg'd Leave of the King for my Abſence, and left my Proxy in the Lords Houſe: And, by reaſon I did not conceive myſelf ſafe from*

from Tumults to this Day, I abſented myſelf thus long from that Houſe; and, when that Fear and Jealouſy is taken away, I will not fail to attend the Houſe again. An. 18. Car. I. 1642. September.

For theſe Reaſons I beſeech your Lordſhips to revoke the ſaid Order, and to diſpenſe with my Abſence; and, for this Favour, I will ever pray that God would ſo guide and direct you, that all your Proceedings may tend to the Glory of God, the Honour and Content of his Majeſty, and the Peace and Good of the Kingdom.

MOHUN.

September 21. Sir *Robert Harley*, from the Commons, brought up a Draught of a Petition which had been framed by that Houſe, and was to be preſented to the King by their General, the Earl of *Eſſex*. The Petition ran in theſe Words:

The Parliament ſend a Petition to the King, to be preſented by the Earl of *Eſſex*.

WE your Majeſty's loyal Subjects, the Lords and Commons in Parliament, cannot, without great Grief and Tenderneſs of Compaſſion, behold the preſſing Miſeries, the imminent Dangers, and the devouring Calamities, which do extremely threaten, and have partly ſeized upon both your Kingdoms of England *and* Ireland, *by the Practices of a Party prevailing with your Majeſty; who, by many wicked Plots and Conſpiracies, have attempted the Alteration of the true Religion and antient Government of this Kingdom, and the introducing of Popiſh Idolatry and Superſtition in the Church, and Tyranny and Confuſion in the State; and, for the compaſſing thereof, have long corrupted your Majeſty's Counſels, abuſed your Power, and, by ſudden and untimely Diſſolving of former Parliaments, have often hindred the Reformation and Prevention of thoſe Miſchiefs. And being now diſabled to avoid the Endeavours of this Parliament by any ſuch Means, have traiterouſly attempted to over-awe the ſame by Force: And, in proſecution of their wicked Deſigns, have excited, encouraged, and foſtered an unnatural Rebellion in* Ireland, *by which, in a moſt cruel and moſt outrageous Manner, many thouſands of your Majeſty's*

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Majesty's Subjects there have been destroyed; and, by false Slanders upon your Parliament, and malicious and unjust Accusations, have endeavoured to begin the like Massacre here. And being, through God's Blessing, therein disappointed, have, as the most mischievous and bloody Design of all, drawn your Majesty to make War against your Parliament and good Subjects of this Kingdom; leading, in your Person, an Army against them, as if you intended, by Conquest, to establish an absolute and unlimited Power over them; and, by your Power, and the Countenance of your Presence, have ransacked, spoiled, imprisoned, and murdered divers of your People: And, for the better Assistance in their wicked Designs, do seek to bring over the Rebels of Ireland, *and other Forces from beyond the Seas, to join with them: And we finding ourselves utterly deprived of your Majesty's Protection, and the Authors, Counsellors, and Abettors of these Mischiefs in greatest Power and Favour with your Majesty, and defended by you against the Justice and Authority of your High Court of Parliament (whereby they are grown to that Height and Insolence as to manifest their Rage and Malice against those of the Nobility and others, who are any whit inclinable unto Peace, not without great Appearance of Danger to your own Royal Person, if you shall not in all Things concur with their wicked and traiterous Courses) have, for the just and necessary Defence of the Protestant Religion, of your Majesty's Person, Crown and Dignity, of the Laws and Liberties of the Kingdom, and the Privileges and Power of Parliament, taken up Arms; and appointed and authorized* Robert *Earl of* Essex *to be Captain-General of all the Forces by us raised, and to lead and conduct the same against those Rebels and Traitors, and them to subdue and bring to condign Punishment.*

And we do most humbly beseech your Majesty to withdraw your Royal Presence and Countenance from these wicked Persons; and, if they shall stand out in Defence of their rebellious and unlawful Attempts, that your Majesty would leave them to be suppressed by that Power which we have sent against them; and that

that your Majesty will not mix your own Dangers with theirs, but in Peace and Safety, without your Forces, forthwith return to your Parliament; and, by their faithful Counsel and Advice, compose the great Distempers and Confusions abounding in both your Kingdoms, and provide for the Security and Honour of yourself and your Royal Posterity, and the prosperous Estate of all your Subjects: Wherein, if your Majesty please to yield to our most humble and earnest Desires, we do, in the Presence of Almighty God, profess that we will receive your Majesty with all Honour, yield you all due Obedience and Subjection, and faithfully endeavour to secure your Person and Estate from all Dangers; and, to the uttermost of our Power, procure and establish to yourself, and to your People, all the Blessings of a glorious and happy Reign.

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The same Day, and by the same Messenger, the Commons sent to the Lords a Form of the Instructions, by which their General was to act; both which were agreed to by them as follows:

INSTRUCTIONS *of the* LORDS *and* COMMONS *now in Parliament assembled, to be given to his Excellency* ROBERT *Earl of* ESSEX, *General of the Army.*

I. 'YOU shall carefully restrain all Impieties, Profaneness, Disorders, Violence, Insolence, and Plundering, in your Soldiers, as well 'by strict and severe Punishment of such Offences, 'as by all other Means, which you in your Wisdom 'shall think fit.

Their Instructions to him as Captain-General.

II. 'Your Lordship is to march with such Forces as you think fit, towards the Army raised, in 'his Majesty's Name, against the Parliament and 'Kingdom; [m] [*and with them, or any Part of 'them, to fight, at such Time and Place as you 'shall judge most to conduce to the Peace and Safety 'of the Kingdom.*] And you shall use your ut-

[m] The Passages between Crotchets are omitted in *Rushworth*, but supplied from the *Commons Journals*.

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'utmoſt Endeavours, by Battle or otherwiſe, to 'reſcue his Majeſty's Perſon, and the Perſons of 'the Prince and the Duke of *York*, out of the 'Hands of thoſe deſperate Perſons who are now 'about them.

III. 'You ſhall take an Opportunity, in ſome 'ſafe and honourable Way, to cauſe the Petition of 'both Houſes of Parliament, herewith ſent unto 'you, to be preſented unto his Majeſty: And if his 'Majeſty ſhall thereupon pleaſe to withdraw himſelf 'from the Forces now about him, and to reſort to 'the Parliament, you ſhall cauſe all thoſe Forces 'to diſband, and ſhall ſerve and defend his Majeſty 'with a ſufficient Strength in his Return.

IV. 'You ſhall publiſh and declare, That if 'any, who have been ſo ſeduced by the falſe Aſper-'ſions caſt upon the Proceedings of the Parliament, 'as to aſſiſt the King in the acting of thoſe danger-'ous Counſels, ſhall willingly, within ten Days 'after ſuch Publication in the Army, return to their 'Duty, not doing any hoſtile Act within the Time 'limited, and join themſelves with the Parliament, 'in Defence of Religion, his Majeſty's Perſon, 'the Liberties and Laws of the Kingdom, and 'Privileges of Parliament, with their Perſons and 'Eſtates, as the Members of both Houſes, and the 'reſt of the Kingdom have done; That the Lords 'and Commons will be ready, upon their Submiſ-'ſion, to receive ſuch Perſons in ſuch Manner as 'they ſhall have Cauſe to acknowledge they have 'been uſed with Clemency and Favour; provided 'that this ſhall not extend to admit any Man into 'either Houſe of Parliament, who ſtands ſuſpended, 'without giving Satisfaction to the Houſe whereof 'he ſhall be a Member: And except all Perſons 'who ſtand impeached [*or particularly voted, in either 'Houſe of Parliament, for any Delinquency whatſo-'ever: Excepting likewiſe ſuch Adherents of thoſe 'who ſtand impeached*] in Parliament of Treaſon, as 'have been eminent Perſons and chief Actors in 'thoſe Treaſons: And except the Earl of *Briſtol*, 'the Earl of *Cumberland*, the Earl of *Newcaſtle*, the

'Earl

'Earl *Rivers*, Secretary *Nicholas*, Mr. *Endimion* 'Porter, Mr. *Edward Hyde*, the Duke of *Rich-* 'mond, the Earl of *Caernarvon*, the Lord Viſcount 'Newark, and the Lord Viſcount *Falkland* one of 'the Principal Secretaries of State to his Majeſty. An. 18. Car. I. 1642. September.

V. 'You ſhall apprehend the Perſons of all thoſe 'who ſtand impeached in Parliament, or have been 'declared Traitors by both or either Houſe of Par- 'liament, or otherwiſe Delinquents; and you ſhall 'ſend them up to the Parliament to receive con- 'dign Puniſhment, according to their Offences.

VI. 'You ſhall receive the Loans or Contribu- 'tions of Money, Plate, or Horſes, from all his 'Majeſty's loving Subjects, which they ſhall be 'willing to make for the Support of the Charge of 'the Army, and better Diſcharge of the Service of 'the Commonwealth; and you ſhall certify all 'ſuch Sums of Money, and the Value of ſuch Hor- 'ſes, that the Parties may thereupon have the Be- 'nefit of the Public Faith, for Payment to be made 'unto them, as to others of his Majeſty's Subjects, 'upon the Propoſitions, [*for the Subſcriptions*] of 'Money, Plate, and Horſes.

VII. 'You ſhall carefully protect all his Maje- 'ſty's Subjects from Rapine and Violence by any of 'the Cavaliers, or other Soldiers of his Majeſty's 'pretended Army, or by any of the Soldiers of the 'Army which you command; and you ſhall cauſe 'the Arms and Goods of any Perſon to be reſtored 'to them, from whom they have been unjuſtly ta- 'ken.

VIII. 'You ſhall obſerve ſuch further Directions 'and Inſtructions, as you ſhall, from Time to Time, 'receive from both Houſes of Parliament.'

September 22. Mr. *Pymme* came up from the Commons, with a Copy of ſome additional Inſtruc- tions, or Directions, to the former, for conſtituting a ſtanding Committee of aſſiſtant Members from both Houſes, in the Army; to which they alſo deſired their Lordſhips Concurrence: This was alſo read

A Committee of both Houſes appointed to attend their Army.

An. 18. Car. I. 1642. September. read and approved of, and a select Number of Lords appointed for that Purpose. Their Names were, the Earl of *Essex* Lord General, the Earls of *Peterborough* and *Stamford*, the Lords *Kimbolton*, *Wharton*, *St. John*, *Fielding*, *Hunsdon*, *Hastings*, *Brook*, *Roberts*, and *Willoughby* of *Parham*. These twelve, with twenty-four Commoners, were to act as follows:

Instructions to them from both Houses.

I. 'THE said Committee, or any four of them, whereof the said Earl of *Essex* to be one, 'shall have Power to meet together at such Times 'and Places as they shall think fit, and to consider 'and advise touching such Matters that shall concern the Army, as the said Earl shall think convenient. And, from Time to Time, shall acquaint both Houses of Parliament with their Resolutions therein, that both Houses may further proceed thereupon, as to them shall be thought convenient for the Public.

II. 'They, or any four of them, whereof the 'Earl of *Essex* to be one, shall have Power, and are 'hereby authorized, to advise and use all convenient 'and reasonable Means they can, to supply the 'Army with Money and other Necessaries: And, 'for that End and Purpose, are hereby authorized 'to take the Subscriptions of all Persons that shall 'give, lend, or advance any Money, Plate, or 'other Provisions whatsoever, necessary for the 'Army, and shall give a Note unto all such Persons that shall so lend or advance, expressing the 'Nature and Particular thereof; which Note, subscribed with the Hand of the said Earl of *Essex*, 'and any three of the said Committee, whereof two 'to be of the House of Commons, shall be sufficient 'Warrant for the Party, that shall so lend or advance, to receive the same again, with Interest after the Rate of 8 *l. per Cent.* out of such Monies 'as shall be collected for the Affairs of this Kingdom, and both Houses do engage the Public Faith 'for the same.

III.

III. 'They, or any four of them, whereof the 'Earl of *Eſſex* to be one, ſhall have Power, and are 'hereby authorized, to ſit with the ſaid Earl; and 'to examine all ſuch Perſons as ſhall be ſent for, 'apprehended or brought before them, by virtue of 'any Warrant, ſent and iſſued under the Hand of 'the Lord-General; and ſhall have Power to con-'tinue them in ſafe Cuſtody, and ſend them up to 'Parliament, or diſcharge them, as they ſhall think 'fit, and ſhall moſt tend to the Public Good.' An. 18. Car. I. 1642. September.

September 23. An Order was made for raiſing, ſpeedily, 1000 Dragoons and ſome Troops of Horſe, to be ſent againſt the Lord *Strange* and his Party, in *Lancaſhire*.

Nothing elſe material happen'd, to the End of this Month; except that, on the 23d, a ſtrict Order was made for all the Regiments of Horſe and Foot in the Parliament's Service, to repair, forthwith, to the Rendezvous appointed for them. The Earl of *Eſſex* had ſet out from *London*, in great State, ſays *Ruſhworth*, the 9th of this Month, and went to his Head-Quarters at St. *Alban*'s: From thence he marched to *Northampton*; where, ſoon after, his whole Army met him, making, altogether, about 15,000 Men. The Earl of *Eſſex* aſſembles all his Forces at *Northampton*;

The King, after erecting his Standard at *Nottingham*, marched from thence to *Derby*, *Stafford*, and *Leiceſter*, and ſo into *Wales*. At *Shrewſbury* his Majeſty's Army was increaſed to a conſiderable Body; and great Quantities of Plate being brought in to him, he erected a new Mint, and had Store of Money. And the King his at *Shrewſbury*.

Before this his Majeſty had raiſed much Treaſure, by receiving large Remittances from the Queen, on her pawned Jewels; by Contributions from the Lords and Gentlemen with him at *York*; and by a Loan from the Univerſity of *Oxford*. On the other Hand, the Parliament were furniſhed with Money, by Loans upon the Public Faith; and, by the painful Endeavours of ſeveral Miniſters, and

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other Ways already described, a great Quantity of Money, Plate, and Ammunition, was brought in. Besides all this, the Parliament had also taken 100,000 *l.* of the 400,000 *l.* voted to be raised for the Service of *Ireland*. This the King loudly complained of; but they justified it, and strove, by Recriminations, to throw the Odium of hindering the *Irish* Business upon him; as appears by his Majesty's Message, and the Parliament's Answer before given.

In the King's Progress thro' the Counties abovementioned, he collected the Gentry and People together at particular Places, and made several Speeches to them; most, or all, of which were printed by the King's Authority at that Time, and are in *Husbands*'s and *Rushworth*'s *Collections*: But, as none of these fall in the *Journals* of either House, we omit them; except one which was read in that of the Lords, on the 29th of this Month, and seems to have given them more Pain than any of the rest, by their taking such particular Notice of it. This we shall therefore insert, with the consequent Orders thereupon.

His MAJESTY'S SPEECH *and* PROTESTATION, *made at the Head of his Army, between* Stafford *and* Wellington, *the* 19*th of* September, 1642, *after the reading of his* ORDERS. *And first*

His MAJESTY'S SPEECH.

Gentlemen,

His Majesty's Speech at the Head of his Army.

'YOU have heard these Orders read; it is your 'Part, in your several Places, to observe them 'exactly: The Time cannot be long before we 'come to Action, therefore you have the more 'Reason to be careful; and I must tell you, I shall 'be very severe in the punishing of those, of what 'Condition soever, who transgress these Instructions.

'I cannot suspect your Courage and Resolution. 'Your Conscience and your Loyalty hath brought 'you hither to fight for your Religion, your King, 'and the Laws of the Land. You shall meet with

'no

'no Enemies, but Traitors, most of them Brownists, Anabaptists, and Atheists; such who desire to destroy both Church and State, and who have already condemned you to Ruin for being loyal to us. An. 18. Car. I. 1642. September.

'That you may see what Use I mean to make of your Valour, if it please God to bless it with Success, I have thought fit to publish my Resolution to you in a Protestation; which, when you have heard me make, you will believe you cannot fight in a better Quarrel; in which I promise to live and die with you.'

His MAJESTY's PROTESTATION.

'I Do promise, in the Presence of Almighty God, and as I hope for his Blessing and Protection, That I will, to the utmost of my Power, defend and maintain the true Reformed Protestant Religion, established in the Church of *England*; and, by the Grace of God, in the same will live and die. And his Protestation;

'I desire to govern by the known Laws of the Land, and that the Liberty and Property of the Subject may be, by them, preserved with the same Care as my own just Rights. And if it please God, by his Blessing upon this Army raised for my necessary Defence, to preserve me from this Rebellion, I do solemnly and faithfully promise, in the Sight of God, to maintain the just Privileges and Freedom of Parliament; to govern by the known Laws of the Land, to my utmost Power; and particularly to observe inviolably the Laws consented to by me this Parliament. In the mean while, if this Time of War, and the great Necessity and Straits I am now driven to, beget any Violation of those, I hope it shall be imputed, by God and Man, to the Authors of this War, and not to me, who have so earnestly laboured for the Preservation of the Peace of this Kingdom.

'When I willingly fail in these Particulars, I will expect no Aid or Relief from any Man, or Protection from Heaven: But in this Resolution I

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'hope for the chearful Assistance of all good Men, 'and am confident of God's Blessing.'

Which give great Offence to the Parliament.

After the reading this Speech and Protestation, it is entered, that 'Because these may prove of much Prejudice to the Parties that are employed by the Parliament in the Army, the House resolved, That a Conference be held with the Commons, in order to appoint a Committee of both Houses, to consider of somewhat to be printed by their Authority, along with the said Protestation, to vindicate the Reputation of those Persons concerned; and that somewhat may be expressed in it, That it is not the Intent of Parliament utterly to take away the Common Prayer-Book as is rumoured abroad.'

About the same Time was printed the following Speech and Protestation of the Earl of *Essex*, at the Head of the Parliament's Army, before his Arrival at *Worcester*, on the 24th of *September*; which may serve as a Contrast to the foregoing Speech and Protestation of the King's, and will therefore very properly conclude the Transactions of this Month. [n]

Gentlemen and Fellow Soldiers,

The Earl of *Essex*'s Speech and Protestation, at the Head of the Parliament-Army.

YE are at this Time assembled for the Defence of his Majesty, and the Maintenance of the true Protestant Religion, under my Command: I shall therefore desire you to take Notice what I, that am your General, shall, by my Honour, promise to perform towards you, and what I shall be forced to expect that you shall perform towards me.

'I do promise, in the Sight of Almighty God, that I shall undertake nothing but what shall tend to the Advancement of the true Protestant Religion, the Securing of his Majesty's Royal Person, the Maintenance of the just Privilege of Parliament, and the Liberty and Property of the Subject; neither

[n] From the Edition of the Times, published by *Henry Fowler*, *September* the 29th, 1642. This is not in any of the printed *Collections*.

ther will I engage any of you into any Danger, but (though for many Reaſons I might forbear) I will in my own Perſon run an equal Hazard with you; and either bring you off with Honour, or (if God have ſo decreed) fall with you, and willingly become a Sacrifice for the Preſervation of my Country. An. 18. Car. 1, 1642. September.

'Likewiſe I do promiſe, that my Ear ſhall be open to hear the Complaint of the pooreſt of my Soldiers, though againſt the chiefeſt of my Officers; neither ſhall his Greatneſs, if juſtly tax'd, gain any Privilege; but I ſhall be ready to execute Juſtice againſt all, from the greateſt to the leaſt.

'Your Pay ſhall be conſtantly delivered to your Commanders; and if Default be made by any Officer, give me timely Notice, and you ſhall find ſpeedy Redreſs.

'This being performed on my Part, I ſhall now declare what is your Duty toward me, which I muſt likewiſe expect to be carefully performed by you.

'I ſhall deſire all and every Officer to endeavour, by Love and affable Carriage, to command his Soldiers; ſince what is done for Fear is done unwillingly, and what is unwillingly attempted can never proſper.

'Likewiſe 'tis my Requeſt that you be careful in the exerciſing of your Men, and bring them to uſe their Arms readily and expertly, and not to buſy them in practiſing the ceremonious Forms of Military Diſcipline; only let them be well inſtructed in the neceſſary Rudiments of War, that they may know to fall on with Diſcretion, and retreat with Care; how to maintain their Order, and make good their Ground.

'Alſo I do expect that all thoſe, who have voluntarily engaged themſelves in this Service, ſhould anſwer my Expectation in the Performance of theſe enſuing Articles:

1. 'That you willingly and chearfully obey ſuch as, by your own Election, you have made Commanders over you.

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2. 'That you take ſpecial Care to keep your Arms at all Times fit for Service, that upon all Occaſions you may be ready, when the Signal ſhall be given by the Sound of Drum or Trumpet, to repair to your Colours; and ſo to march upon any Service, where and when Occaſion ſhall require.

3. 'That you bear yourſelves like Soldiers, without doing any Spoil to the Inhabitants of the Country: So doing you ſhall gain Love and Friendſhip, where otherwiſe you will be hated and complained of; and I, that ſhould protect you, ſhall be forced to puniſh you according to the Severity of Law.

4. 'That you accept and reſt ſatisfied with ſuch Quarters as ſhall fall to your Lot, or be appointed you by your Quarter-maſter.

5. 'That you ſhall, if appointed for Centuries or Perdues, faithfully diſcharge that Duty; for, upon Fail hereof, you are ſure to undergo a very ſevere Cenſure.

6. 'You ſhall forbear to profane the Sabbath, either by being drunk, or by unlawful Games; for whoſoever ſhall be found faulty muſt not expect to paſs unpuniſhed.

7. 'Whoſoever ſhall be known to neglect the Feeding of his Horſe with neceſſary Provender, to the end that his Horſe be diſabled or unfit for Service; the Party, for the ſaid Default, ſhall ſuffer a Month's Impriſonment, and afterward be caſheried as unworthy the Name of a Soldier.

8. 'That no Trooper, or other of our Soldiers, ſhall ſuffer his Paddee to feed his Horſe in the Corn, or to ſteal Men's Hay; but ſhall pay every Man for Hay 6*d.* Day and Night, and for Oats 2*s.* the Buſhel. And *laſtly*,

9. 'That you avoid Cruelty; for it is my Deſire rather to ſave the Lives of Thouſands than to kill one, ſo that it may be done without Prejudice.

'Theſe Things faithfully performed, and the Juſtice of our Cauſe truly conſidered, let us advance with a religious Courage, and willingly adventure

venture our Lives in the Defence of the King and Parliament.' An. 18. Car. I. 1642. October.

October. On the first of this Month is entered, in the *Lords Journals*, a List of the *English* Guard-Ships at that Time; when the *Henrietta Maria*, the Earl of *Warwick*, Admiral, is put down at, only, 250 Men. A vast Disproportion between this and the Complement of Men in the Admirals Ships of our Days.

October 3. The Lords received a Packet of Letters from the Lord General, in which was a Copy of one his Lordship had sent to the Earl of *Dorset*, in these Words:

My Lord,

I Am commanded by the Parliament to present their humble Desires, in a Petition to his Majesty, which I desire your Lordship would acquaint him with; that I may know his Majesty's Pleasure in what Manner he will have it presented to him, and that there may be a safe Convoy for such Persons as I shall send to his Majesty with it. I held it fit to put this Trouble upon your Lordship, knowing your Nearness to the King, and believing your Willingness to do a Courtesy to

Letters from the Earls of *Essex* and *Dorset*, relating to the Parliament's Petition to the King.

Your Lordship's

Affectionate humble Servant,

ESSEX.

The Earl of DORSET's ANSWER.

My Lord,

THE King's late Arrival here last Night is the Cause I could no sooner return this Gentleman. According to your Lordship's Desire, I have acquainted his Majesty with the Petition you are ordered to present to him from the Parliament. He hath commanded me to let your Lordship know, that the Petition of the Houses shall never find his Ear shut against them;

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Your Lordship's

Shrewsbury, Sept. 28, 1642.

Very affectionate Friend,

and humble Servant,

DORSET.

Next the Lord-General's Letter to the Committee of Safety was read *in hæc Verba:*

My Lords and Gentlemen,

HAving received from both Houses of Parliament a Petition to his Majesty, I did send a Letter to the Earl of Dorset, *by Mr.* Fleetwood, *unto which I received Answer last Night: And because the Answer concerns much the Parliament, I held it fit to send you Copies of both, and I desire they may be presented to both Houses. Your Lordships will quickly see the Difficulties arising from this Answer; not only in the Ambiguity of the Phrase,* He hath, by Name, accused of Treason, *which both Houses are themselves declared already, by his Majesty's Proclamations and Declarations, set forth before my Coming from Parliament; but also the Uncertainty of what other Proclamations have been since made, and who therein have been personally named; and chiefly in this, That admitting this doubtful Phrase to be intended strictly, I cannot send such who have been already accused by Name, without exposing them to the uttermost Hazard; and to send others, who are not personally named, might, upon this Restriction, allow that Exception; and thereby deeply wound the Parliament, who never*

° Lord *Clarendon* informs us, That the Earl of *Essex*'s Letter was sent by Mr. *Fleetwood*, only a Trooper in his Guards, without a Trumpet, or any Ceremony. This Mr. *Fleetwood* afterwards raised himself to the Rank of a General, and was one of *Cromwell*'s Upper House.

never admitted any such Restriction. This causeth me to suspend the sending of the Petition, and to make this Address to the Committee. I am

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Your Lordship's humble Servant,

Worcester, Sept. 29, 1642. ESSEX.

A Conference being held on the Contents of these Letters, both Houses came to the following Resolutions:

Resolutions of both Houses thereupon.

1. 'That it doth not stand with the Honour and Privilege of Parliament, that the Petition be delivered to the King under the Restrictions mentioned in the Earl of *Dorset*'s Letter.

2. 'That the Lord-General shall signify unto his Majesty, by such Means as he shall think fit, the Resolutions of both Houses of Parliament, concerning the Delivery of this Petition.' But this second Resolution was altered by the Lords, *viz.* 'That the Lord-General, by himself, or such Hands as he shall think fit, shall, with all convenient Speed, deliver the Petition unto his Majesty.

3. 'That the Lord-General shall be desired to proceed, according to his former Instructions, in such Manner as, in his own Judgment, he shall think fittest and most advantageous to the Service.'

We have already mentioned the King's Removal from *York* to *Nottingham*, his erecting his Standard there, and his Progress from thence to *Shrewsbury*; as also the Earl of *Essex*'s March from *London* to *Worcester*; so that at this Time the two Armies were drawn very near each other. We shall next cast our Eyes towards the *North*, to see how Matters stood in that Part of the Kingdom. —— When his Majesty left *Yorkshire*, he appointed the Earl of *Cumberland* General of the Forces raised by the Commission of Array: And such of the Gentry of that County who sided with the Parliament, associated themselves under the Lord *Fairfax* as their Commander in Chief. This latter Affair being communicated to the Joint-Committee of Parliament, appointed to consider of the Safety of the Kingdom,

Some of the *Yorkshire* Gentry associate themselves, for the Parliament, under the Command of the Lord *Fairfax*.

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dom, they sent down the following Ratification of the Lord *Fairfax*'s Election to that Command. [p]

My Lord and Gentlemen,

A Letter from the Committee of Safety, in Approbation thereof.

WE have received Information that, at a late Meeting at Leeds, *divers worthy Gentlemen and others, well-affected Inhabitants of* Yorkshire, *have declared themselves desirous to preserve the Peace of that County; and to secure his Majesty's Subjects from those violent Oppressions, executed upon their Persons and Estates, by the Earl of* Cumberland, *the Lord* Savile, *and others, by Pretence of the Commission of Array, and other Commissions against Law: And for that Purpose have thought upon a Noble Person of your County, the Lord* Fairfax, *to command in Chief over the Forces of that Shire; and that* John Hotham, *Esq; lately conferred much Help and Furtherance to this noble Resolution, by coming out of* Hull *with some Forces, both Horse and Foot: Hereupon we have received Direction from both Houses of Parliament to signify unto you their Approbation, and to give all Encouragement and Assistance in these Proceedings, as conducing much to that great Work which the Parliament hath undertaken, to secure Religion, and the Liberty and the Peace of the Kingdom, which are much endangered by the ill Counsel about his Majesty, and the War now raised against the Parliament. In Performance whereof we have thought good, hereby, to desire and authorize you to draw the Forces of that County together, under the Conduct of the Lord* Fairfax; *and to defend his Majesty's Subjects, in their Persons and Liberties, against the said Earl of* Cumberland, *or any other that shall oppress the same, by Pretence of any Commission whatsoever. And for your better Performance hereof, we intend to send down, very speedily, some Forces of Horse and Foot from hence, as likewise some experienced Officers with ample Instructions, in such Manner as hath been given to other Parts*

[p] This Ratification, with the following Letter to Lord *Fairfax*, and the Declaration of Parliament thereupon, are copied from the Originals, yet remaining in the Hands of *Thomas Pulleyn*, of *Burley*, in *Yorkshire*, Esq; a Gentleman descended from a Branch of the *Fairfax* Family.

Parts of the Kingdom in the like Case; and to commend the Lord Fairfax *to the Earl of* Essex, *intreating his Excellency to send him a Commission to the same Effect. And, in the mean Time, we have sent this Bearer, on purpose to give you Notice of the Intention and Order of the Lords and Commons in Parliament, and of our particular Care to second your good Affections and Endeavours in this so necessary and advantageous Service of the Kingdom, and so remain,*

An. 18. Car. I. 1642. October.

Your very affectionate Friends,

A. NORTHUMBERLAND.
H. VANE.
THO. BARRINGTON.
HENRY MARTEN.
J. PYM.

Westminster, 27° 7bris, 1642, at 8 of the Clock at Night.

But notwithstanding the Committee of Parliament had expressed so much Satisfaction at this *Yorkshire* Association, a very few Days after a Meeting was held at *Rotherham* by the two Chiefs, the Earl of *Cumberland* and Lord *Fairfax*, and several of the principal Gentry of both Parties; where they not only agreed to certain Articles for observing a Neutrality in that County, but even sent them up to Parliament for Confirmation.—Instead of ratifying them, both Houses agreed to disannul them; and immediately dispatched the following Letter and Declaration to Lord *Fairfax*:

But they afterwards agree upon Articles of Neutrality with the Earl of *Cumberland*;

My Lord, Oct. 4, 1642.

YOUR Letter and Articles were taken into Consideration by the Houses of Parliament, whose Sense concerning them you may understand by their Declaration here inclosed; and withall how constant they are to the good Esteem which they had before of your Affections to the Peace and Liberty of the whole Kingdom. To that Purpose we have thought fit to address these unto your Lordship; recommending unto your Care and Fidelity the great Trust reposed in you by your Country, and confirmed by both Houses of Parliament. We do hereby most earnestly desire your Lordship to go on actively in this Service, for the Advantage of so public a Cause, and of your own Honour. To perfect this Work

An. 18. Car. I. 1642. October. *Work we have ſent you Aſſiſtance of Horſe, Foot, and other Proviſions, which ſhall not fail to be increaſed as there ſhall be Occaſion. We do therefore hope to receive News of ſuch your Reſolution, and expect your ſpeedy Anſwer, remaining,*

Your very affectionate Friends,

A. NORTHUMBERLAND. THO. BARRINGTON.
HOLLANDE. H. VANE.
GREY *of Warke.* J. PYM.
W. PIERPOINT. ANTH. NICOLL.

Which are diſannulled by the Parliament.

'UPON Peruſal of certain Articles, dated the 29th of *September*, 1642, betwixt the Lord *Fairfax* and divers other well-affected to the Peace of the Kingdom, and Mr. *Bellaſis* and others, who have declared themſelves, in ſundry Actions, Oppoſers of the Proceedings of the Parliament, and Furtherers of the War raiſed againſt them, and of many grievous Preſſures lately exerciſed upon the good Subjects, Inhabitants of the County of *York*; and being confident that if the Lord *Fairfax*, and the reſt of the Gentlemen on his Part, had known by what Acts and Deſigns this Agreement was plotted on the other Side, and how dangerous and miſchievous it muſt needs be, both in the Effect and in the Conſequence, their good Intentions to the Peace of that County, and of the Kingdom, are ſuch, that they would never have conſented to any Thing ſo prejudicial thereunto, as this ſeeming Neutrality would be; by making that County many ways ſerviceable to thoſe ill Counſels, whereby his Majeſty is incited againſt his Subjects, and no way uſeful to the Parliament, in protecting of them: Wherefore the Lords and Commons do declare,

1*ſt*, That none of the Parties to that Agreement had any Authority, by any Act of theirs, to bind that County to any ſuch Neutrality as is mentioned in that Agreement; it being a peculiar and proper Power and Privilege of Parliament, where the whole Body of the Kingdom is repreſented, to bind all or any Part thereof.

2*dly*,

2*dly*, 'That it is very prejudicial and dangerous An. 18 Car. I. 1642. October.
'to the whole Kingdom, that one County ſhould
'withdraw themſelves from the Aſſiſtance of the
'reſt, to which they are bound by Law, and by ſe-
'veral Orders and Declarations of Parliament.

3*dly*, 'That it is very derogatory to the Power
'and Authority of Parliament, that any private
'Men ſhould take upon them to ſuſpend the Exe-
'cution of the Ordinance of Militia, declared by
'both Houſes to be according to Law, and very ne-
'ceſſary at this Time for the Preſervation of the
'Peace and Safety of the Kingdom.

4*thly*, 'That many Things in that Agreement
'are very unequal, contrary to the Nature of a Neu-
'trality, (being much more advantageous to one
'Side than to the other) prejudicial to the public De-
'fence of the Kingdom, undertaken by the Parlia-
'ment, and would be a great Impediment to that
'good Agreement betwixt his Majeſty and his Sub-
'jects; which both Houſes do ſo earneſtly deſire and
'endeavour.

'For theſe and other Reaſons, we hold ourſelves
'bound in Conſcience, in Performance of the ſeve-
'ral Proteſtations that we have made, to hinder all
'further Proceedings upon that Agreement; and
'therefore it is ordered by both Houſes of Parlia-
'ment, that no ſuch Neutrality be obſerved in
'that County, which will advantage the Forces
'raiſed againſt the Parliament, and no way benefit
'*Yorkſhire*; but rather be moſt dangerous to them by
'keeping that County without any defenſive Force,
'whereby it will be open to the King to bring back his
'Army at his Pleaſure, and to make that his Winter
'Quarters; to which the Plenty of that County and
'Nearneſs of *Newcaſtle* for Supplies by Sea, are like
'to invite him; whereby it will become the Seat of
'the War: And if this ſhould not fall out, yet if the
'reſt of the Kingdom be ſuppreſſed, what Hope can
'*Yorkſhire* have but to be involved in the Public Mi-
'ſery? And therefore, in Wiſdom for themſelves,
'and Juſtice to the State, they ought not to withdraw
'themſelves from the Common Cauſe; but to join

'with

An. 18. Car. I. 1642. October.

'with the Parliament, in Defence of the Religion and 'Liberty of the whole Kingdom; and, with them, 'to labour by all good Means to procure a general 'Peace and Protection from the King for all his Sub-'jects; which both the Houses of Parliament have, by 'many humble Petitions, desired of his Majesty, but 'cannot yet obtain: And if they should suffer any 'particular Counties to divide themselves from the 'rest of the Kingdom, it will be a Means of bring-'ing all to Ruin and Destruction. Wherefore it 'is further declared, That neither the Lord *Fair-'fax*, nor the Gentry of *Yorkshire*, who are Parties 'to those Articles, nor any other Inhabitants of 'that County, are bound by any such Agreement; 'but they are required to pursue their former Reso-'lutions, of Maintaining and Assisting the Parlia-'ment in Defence of the Common Cause, accord-'ing to their General Protestation, wherein they 'are bound with the rest of the Kingdom, and to 'the particular Protestation by themselves lately 'made; and according to such Orders and Com-'missions as they shall receive from both Houses of 'Parliament, from the Committee of Lords and 'Commons appointed for the Safety of the King-'dom, or from the Earl of *Essex* Lord-General.'

JO. BROWN, *Clericus Parliamentor.*

Advice of the King's coming to *London* with his Army.

Both Houses seem now extremely busy, for several Days, in issuing out Orders for Payments of Money, on different Affairs, but all towards carrying on the War; with other Matters of less Concernment, such as sending for Delinquents, and imprisoning them: But no public or private Bills, or even a private Cause, are so much as mentioned in either *Journal*; Provision for their own Safety being now their principal Business, as appears by the *Journals* of the 12th of this Month; where we are told, That, at a Conference held that Day, the Lords were informed that the Committee of Safety had, the Night before, received Letters of the King's Intentions to leave *Shrewsbury*, and march with his Army directly towards *London*. On this Intelligence the Commons de-

desired, lest the People should be frightned and taken unawares, that the aforesaid Committee might draw up a Declaration, to be published through all the neighbouring Counties, for the Train'd Bands and all the Forces, in and about *London*, to be put into a Posture of Defence, and be placed under such Officers as that they may be ready at an Hour's Warning. Two Days after a yet greater Precaution against a Surprize was taken: For, An. 18. Car. I. 1642. October.

October 14. It was ordered, That Guard Houses, with Posts, Bars and Chains, be forthwith erected and set up, in such Places and Bye-lanes, in the Parishes of St. *Margaret's Westminster*, St. *Martin's in the Fields*, in the Confines of *Westminster*; St. *Clement*'s, *Danes*; St. *Mary*, *Savoy*; St. *Andrew*'s, *Holborn*; St. *Giles in the Fields*; *Covent-Garden*, St. *John's-Street*; St. *James* at *Clerkenwell*; St. *Giles*, *Cripplegate*; *Shoreditch*, *White-Chapel*, *Islington*, *Mile-End*, *Southwark*, and *Lambeth*, as should be thought necessary and convenient for the Defence and Safety of *London* and *Westminster*: And that the Train'd Bands and Volunteers of the said Parishes should be under Arms, and keep Watch Day and Night; that they should seize and arrest all suspicious Persons, Arms, or Ammunition, passing or repassing thro' the said Places, and keep them till the Pleasure of the Parliament was known. However, in the Midst of these Fears and Confusions, the House of Commons had Time to think of Religious Matters; for, The Parliament's Orders for Defence of the City.

October 15. A Bill was sent up to the Lords, which had passed the other House, intitled, *An Act for calling an Assembly of godly and learned Divines, to be consulted with by the Parliament, for settling the Government and Liturgy of the Church of* England, *and for vindicating and clearing the Doctrine thereof from false Aspersions and Interpretations.* The Commons desired the Lords to give Expedition to this Bill, because it was to commence on the fifth of *February* next; and it was read a first Time this Day. Next Bill for calling an Assembly of Divines.

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Next Day a Conference was held between the two Houſes, in which the Commons delivered the following Reſolutions for their Lordſhips Concurrence; which was granted.

Reſolutions as to Contributions to the Parliament-Loan, Biſhops Rents, and the King's Revenue.

'Reſolved, That ſuch Perſons as ſhall not contribute to the Charge of the Commonwealth, in this Time of imminent Danger, ſhall be held fit to be diſarmed and ſecured.

'Reſolved, That the Fines, Rents and Profits of Archbiſhops, Biſhops, Deans, Deans and Chapters, and of ſuch notorious Delinquents as have taken up Arms againſt the Parliament, or have been active in the Commiſſion of Array, ſhall be ſequeſtered for the Uſe and Service of the Commonwealth.

'Reſolved, That the King's Revenue, ariſing out of Rents, and Fines in Courts of Juſtice, Compoſitions for Wards, and the like, and all other his Majeſty's Revenues, ſhall be brought into the ſeveral Courts and other Places where they ought to be paid in; and not iſſued forth nor paſſed out, without Orders from both Houſes of Parliament.'

In Conſequence of the firſt of theſe Reſolutions many Perſons, who refuſed to lend Money, were ſent for by the Commons as Delinquents; of whom we ſhall mention one only as an Inſtance: Mr. *Fountayne*, a Barriſter at Law, being aſked by the Speaker, Whether he would contribute any Thing in this Time of common Danger; ſaid, He did humbly deſire that he might not be compelled to give any Anſwer. But being preſſed to give his Reaſons for refuſing to make any Anſwer, he replied, Becauſe he conceived it to be againſt the Petition of Right. Hereupon the Commons reſolved, That he be committed Priſoner to the *Gatehouſe*, there to remain during the Pleaſure of that Houſe for his Contempt; and that his Arms be ſeized and taken from him by the Sheriffs of *London*. However, a few Days after, upon Mr. *Fountayne*'s humble Petition, the Commons gave him Leave to go, with the Keeper of the *Gatehouſe*, to bury his Wife; but this Liberty not to exceed four Days. A Committee was alſo appointed to prepare a Declaration to ſet forth, That this

this Demanding of Contribution upon the Propoſitions, is according to Law; and to ſet a Mark of Malignity and Diſaffection upon ſuch as ſhall refuſe to contribute, in this Time of common Danger. An. 18. Car. I. 1642. October.

Next was read a Declaration, ordering all Train'd Bands to be in Readineſs; which, ſince the Style of it exceeds all the Accuſations that have been hitherto laid againſt the King and his Party, and is omitted in *Ruſhworth*, we ſhall inſert: Obſerving, that this Declaration was alſo agreed to by the Lords, without any Amendments, and ordered to be printed and publiſhed.

The Parliament's Order for aſſembling the Trained Bands.

'THE Lords and Commons in Parliament, conſidering, with much Tenderneſs and Compaſſion, the miſerable Condition of this Kingdom, diſtracted and diſtempered with many preſent Evils and imminent Dangers, and brought now to ſuch Height of Extremity of Miſery, that two *Engliſh* Armies are near together, even ready to join in a dreadful and bloody Encounter, thro' the violent and wicked Counſel of thoſe who have captivated both the Perſon and the Power of the King to their own impious and traiterous Deſigns, do thereupon think good to publiſh and declare the ſame to the Kingdom; together with ſome Directions and Proviſions which may prevent the utter Deſolation and Ruin both of Religion and Liberty, already overwhelmed and ſuppreſſed in the Intention and Hope of thoſe Rebels and Traitors about the King; to which Purpoſe it is deſir'd by both Houſes, that all well-affected Subjects may take Notice of theſe Particulars, that the King, by the Help and Aſſiſtance of the Papiſts, the Prelatical and corrupt Part of the Clergy, the delinquent Nobility and Gentry, and by the Confluence of ſome notable Traitors from beyond the Seas, the Lord *Digby*, *O'Neal*, and others, and of many deſperate, mercenary, and ill-affected Perſons from all Parts of the Kingdom, hath raiſed an Army, armed, cloathed, and fed, for the moſt Part, with the Spoils of his Subjects; giving them Leave to

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'plunder and rob all Sorts of People, and to exact 'Money and Plate from Corporations, by threatening 'Fire and Sword if they ſhould refuſe it.

'That this wicked Counſel doth not only hinder 'his Majeſty from exerciſing the Juſtice and Protection of a King towards his People, but even 'that Honour which is obſerved betwixt Enemies; 'for, by a confident Inſtrument of his Majeſty, (Sir '*John Henderſon*, a Papiſt) as we are credibly informed, one *David Alexander* was urged to kill Sir '*John Hotham*, telling him it would be a good 'Service both to God and the King; which he refuſed to do, ſaying, *It was the Work of a Butcher*, '*and not of a Soldier*. This *Alexander* being a '*Scotſman* of a very poor Fortune, and of a Mind 'fit for deſperate Attempts, the King ſent for him 'twice while he was at *Beverley*; and when he 'came to his Preſence he ſpake to him publickly 'in the Field, and appointed a Sum of Money to 'be given him, which he received.

'After which another Propoſition was made to 'him by the ſaid Sir *John Henderſon*, that he would 'put Fire to the Magazine of the Army, raiſed by 'the Parliament; and, to gain the better Opportunity to effect it, that he ſhould labour to get ſome 'Employment in the Train of Artillery, which he 'undertook, and endeavoured to obtain; but before 'he could effect his miſchievous Intention, he was 'diſcovered, apprehended, and examined, and thereupon confeſſed the Practice and Undertaking; the 'Particulars thereof are referred to the Examinations thereupon taken. That the King doth ſend 'out Letters to borrow great Sums, profeſſing, That 'thoſe who will not lend him Money do give him 'juſt Cauſe to ſuſpect their Duty to his Perſon and 'the Peace of the Kingdom: And this will be a ſufficient Reaſon to make them liable to be plunder'd 'and ſpoiled of all they have; but ſuch is the Violence of the King's Army, that their Friends are 'in little better Caſe than they who oppoſe them; 'and thoſe who eſcape beſt muſt yet feed and billet 'the Soldiers for nothing.

'In

'In those Places where the Trained Bands are willing to go forth to serve in his Majesty's Army, yet, for the most Part, their Arms are taken from them, and put upon those who are more mercenary and less interested in the Commonwealth, and so likely to be fitter Instruments of Rapine and Spoil. An. 18. Car. I. 1642. October.

'By these great Violences and Oppressions they have so exhausted those Parts, that his Majesty cannot stay long about *Shrewsbury*; and it is the earnest Desire of the Cavaliers, that he would march forward towards *London*, those rich and fruitful Counties in the Way being like to yield them a Supply of their Necessities, and the Wealth of *London* a full Satisfaction of their Hopes; where they likewise think to find a Party, which, upon his Majesty's Approach, may make some Disturbance, and facilitate their Designs upon the City.

'That if the King's Army prevail, the good Subjects can expect nothing but that their Lives and Fortunes will be exposed to the Malice and Rapine of those ravenous Soldiers, who often talk of cutting the Throats of honest and religious Men, and have long expected their Goods and Estates, as the Rewards of their Service; the Kingdom will again fall under the Government of those mischievous Counsels, who, before this Parliament, had even brought both Religion and Liberty to Ruin; and we shall have no Hope left of any more Parliaments, but such as shall be concurrent and subservient to these Ends.

'The Means of curing and preventing these Evils and Dangers we conceive to be these:

'That good Provision be made, by Loan and Contribution, for the Army raised by the Parliament under the Lord-General the Earl of *Essex*, which is no whit inferior in Horse and Foot to the King's Army, better armed, full paid, restrained from Disorder and Rapine as much as may be; well provided of all outward Necessaries; but, above all, well encouraged and instructed in the

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'Goodneſs of the Cauſe, by the Labour of many 'godly and painful Divines.

'That this Army be ready always to attend the 'Removes of the King's Army, either in one Body 'or divided, as there ſhall be Occaſion, according 'to the wiſe Conduct and Direction of the Lord-'General; that ſo no Opportunity of fighting upon 'Advantage be loſt, nor the greedy Soldiers of the 'King's Army ſuffered to range and ſpoil the Coun-'try at their Pleaſure.

'That the Counties thro' which the King's Army 'is to paſs, do aſſociate themſelves, and draw all 'their Forces together, for the mutual Defence of 'their Perſons and Goods from Oppreſſion and 'Spoil.

'That thoſe Counties be required to ſend in all 'their Horſes fit for Carriages and Dragoons, as 'well for the Aſſiſtance of the Lord-General; (for 'which, in convenient Time, they ſhall receive 'Satisfaction) as likewiſe that by ſuch Means thoſe 'Horſes may be kept from being employed by the 'King's Army.

'That Command and Direction be given to all 'Lieutenants of Counties and Deputy-Lieutenants, 'that all the Trained Bands and all Volunteers be 'put into Readineſs to be brought to ſuch Rendez-'vous, and to be obedient to ſuch Commanders in 'Chief, as ſhall be appointed by the Committee for 'the Safety of the Kingdom, or by the Lord-Ge-'neral; that ſo the King's Army may find Oppo-'ſition in every Place as they paſs, and the Inhabi-'tants may have at hand a ſufficient Protection and 'Defence; and the Lord-General may ſtrengthen 'his own Army with theſe Forces, as he ſhall ſee 'Cauſe.

'That Powder, Munition, and Ordnance, with 'all other Neceſſaries, be prepared for theſe Forces; 'that ſo, without any Trouble or Confuſion, they 'may be brought together, and fitted for Service 'upon all ſudden Occurrences.

'That all thoſe who, in the City of *London* or 'any other Place, ſhall wear any Colours or other

'Marks

'Marks of Diviſion, whereby they may be diſtin- An. 18. Car. I.
'guiſhed from others, and known to be of the Ma- 1642.
'lignant Party, ſhall be examined, ſearched, and October.
'diſarmed; as likewiſe all others who, being able,
'ſhall not lend or contribute towards the Public
'Safety of the Kingdom in this Time of ſo great
'and imminent Danger.

'That it be commended to the ſerious Conſide-
'ration of thoſe in the King's Army, and of all
'others that intend to aſſiſt and ſuccour his Ma-
'jeſty in this impious and unnatural War, (amongſt
'whom it may be hoped there are ſome honeſt Men
'and Proteſtants) what it is that moves them in this
'Quarrel.

'Is it for Fear of ſome Innovations and Altera-
'tions of Religion, or Church-Government? Let
'ſuch as are poſſeſs'd with this vain and cauſeleſs
'Apprehenſion know, that nothing is intended or
'deſired, but to take away the Government by Bi-
'ſhops, which hath been ſo conſtantly and evidently
'miſchievous to the Church and State; with ſuch
'other Things as ſhall be found to be juſtly offen-
'ſive; and nothing to be ſettled and introduced but
'by Authority of Parliament, after Conſultation firſt
'had with an Aſſembly of learned and reverend
'Divines.

'Is it to uphold the Authority, Prerogative, and
'Honour of the King, and to preſerve the Safety of
'his Royal Perſon? Surely the Parliament is, and
'ever hath been, ready to do any Thing that be-
'longs to them to ſecure all theſe; which they have
'often teſtified by many humble Petitions to his
'Majeſty.

'If there be no Cauſe, for any of theſe Reſpects,
'to ſeek the Deſtruction of the Parliament, and the
'Blood and Ruin of their Kindred, Friends, and
'Acquaintance; what remains then to be the Mat-
'ter of their Quarrel, the Motives of ſuch great
'Combuſtions, and the Effects and Conſequences
'of their Victory, if they ſhould prevail? That
'Prieſts, Jeſuits, and the Pope's Nuncios, may do-
'mineer and govern in the King's Counſel, as here-

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'tofore; that the Archbiſhops of *Canterbury* and *York*, and their Suffragans, may ſuppreſs diligent 'and powerful Preaching, baniſh and oppreſs all the 'moſt pious and beſt affected Subjects of the King-'dom, and introduce the Popiſh Religion, under 'Proteſtant Profeſſion; 'till they have Strength and 'Boldneſs to caſt off the Diſguiſe, and openly appear 'that which indeed they are, and would not ſeem to 'be:

'That the Earl of *Briſtol*, and his Son the Lord '*Digby*, Mr. *Jermyn*, and other ſuch Traitors, may 'poſſeſs the great Places and Government of this 'Kingdom; and be the Arbiters of the Affairs of 'State, and Diſtributers of Preferments and Diſ-'graces to ſuch who ſhall further or oppoſe their 'Deſigns:

'That the Delinquents, Oppreſſors, and De-'ſtroyers of the Kingdom, may not only eſcape the 'Juſtice of the Parliament, but triumph in the Spoils 'of all honeſt Men and good Patriots; that, thro' 'our Troubles and Diviſions, the Rebels in *Ire-'land* may prevail; that we may ceaſe to be a free 'Nation; and become the Object of Cruelty and 'Oppreſſion at home, and of Scorn and Infamy 'abroad!

'And if there can be no other Fruit of their Ha-'zard and Endeavours on that Side, let them then 'conſider whether, by adhering to the Parliament, 'they may not expect Effects more ſuitable to the 'Deſires of honeſt Men; the Glory of God, in the 'Preſervation of his Truth; the Peace of the 'Church, by ſecuring it againſt the Pride, Avarice, 'and Ambition of the Clergy; the Honour, Great-'neſs, and Security of the King, by freeing him 'from falſe and traiterous Counſels, and eſtabliſh-'ing him in the Hearts and Affections of his People; 'the Proſperity of the whole Kingdom, by the 'Bleſſing of good Laws and a righteous Govern-'ment.'

October 17. Alderman *Pennington* being choſen Lord Mayor of *London*, upon the Removal of Sir *Richard*

Richard Gurney, he was ordered, on account of the Lord-Keeper's Abſence, to appear before the Lords in Parliament for their Approbation, before he was ſworn at the Bar of the Exchequer. The Lords paſſed great Compliments on the new Lord Mayor, for his experienced Duty and Loyalty to the King and Kingdom, and were well pleaſed the City had made ſuch a Choice. An. 18. Car. I. 1642. October.

Inſtructions were now, again, ſent into moſt of the Counties of the Kingdom, to their Deputy-Lieutenants, *&c.* to be very ſtrict in collecting Subſcriptions of Money, Plate, and Horſes for the Parliament's Service; likewiſe for Loans; in which an Abſtract of thoſe ſent into *Devonſhire* may ſerve as a Specimen for all the reſt. Their Inſtructions to the Deputy-Lieutenants, for collecting Subſcriptions of Money, Plate, *&c.*

'They had Power given them by both Houſes, to convene each particular Perſon of Ability before them, and to demand what every Man would lend, either by the Week, Month, or in groſs, for the Defence of the Kingdom.

'To declare, That thoſe who would not contribute to this neceſſary Service, did, as much as in them lay, betray their Religion, Liberty, and Property; and were themſelves dead Members, having no Feeling of the Calamities of the Kingdom; and therefore they ſhould not be protected by the Horſe and Arms raiſed in that County: And that thoſe who ſhall be moſt notoriouſly refractory, ſhall be ſeiz'd on by the Dragoons, and ſent up to the Parliament to give an Account why they refuſed: And

'To declare, That the Parliament will take it as a Mockery and Indignity offered to them, if they do not perform their Subſcription of Money or Plate, according to their Agreement: And that thoſe who do not make ſuch an Excuſe for it, as the Major Part of the Commiſſioners ſhall judge reaſonable, ſhall be ſent up to Parliament, to anſwer this groſs Abuſe and Breach of Promiſe, *&c.*

October 18. The Lord *Coventry*, who had revolted from the King to the Parliament, ſent a ſubmiſſive Letter Lord *Coventry* leaves the King.

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Letter to the Lords, by the Earl of *Northumberland*, and offered 2000 *l.* in Money for carrying on the Cauſe in hand: Alledging, That though he had ſubſcribed, at *York*, to furniſh the King with Horſes, *&c.* he did it only for one Month, and would not contribute or meddle, in any Thing of that Nature, hereafter: Deſiring to be protected, in Perſon and Eſtate, and have his Goods in *Worceſterſhire* reſtored to him. All which the Lords readily accepted of and promiſed him.

The Parliament endeavour to keep a good Underſtanding with the *Scots*.

October 19. Many miſcellaneous Orders, *&c.* were now made by both Houſes, on different Matters; but nothing of Moment, unleſs we mention the Care the Parliament took to keep well with their Brethren in *Scotland* at this critical Time, 40,000 *l.* Part of the Brotherly-Aſſiſtance Money, being ordered to be paid immediately. And the *Scots* having declared their Readineſs to join in the intended Reformation of the Church, and the freeing of it from the Uſurpation of Prelates and their Faction, *&c.* the *Engliſh* Parliament ſent to acquaint them, That a Bill for this Purpoſe had paſſed both Houſes, and was ready to be diſpatched to his Majeſty for his Royal Aſſent. They therefore deſired them to nominate ſome learned and pious Divines of their Church, to aſſiſt in the intended Aſſembly, which was to begin on the fifth of *November* next; and four were, ſoon after, ſent up to *Weſtminſter* for that Purpoſe.

October 20. A Conference was held, in which were exhibited ſome Letters from the Earl of *Eſſex*, dated from *Worceſter*, ſent to the Committee of Safety; and, firſt, one from himſelf.

My Lords and Gentlemen,

More Letters from the Earl of *Eſſex*, *&c.* concerning the laſt Petition to the King,

IN Obedience to your Commands, I ſent Mr. Lionel Copley, *with a Letter and three Votes of both Houſes, with a Deſire of a Safe Conduct to ſuch as ſhould be ſent with the Petition to his Majeſty; my Lord* Dorſet's *Anſwer I have ſent your Lordſhips, who can*

can better tell how to consider of it than I your Servant. An. 18. Car. I. 1642. October.

My Lords, this Answer did not take me unprovided; for, since the first Answer I sent up to the Parliament, I expected no better. And for my Head, which is so much sought after, if God please, I intend to sell it at such a Rate, that the Buyers shall be no great Purchasers.

My Lords and Gentlemen, I shall not, in this Letter, presume further upon your Patience, acknowledging the great Affairs you have; only this, assuring you, That I shall neither spare any Hazard or Pains to declare myself to be

Your Lordships

Worcester, Oct. 18, 1642.

Humble Servant,

ESSEX.

Next the Letter from the Earl of *Dorset*, in Answer to that from the Lord-General, was read:

My Lord,

I Have received your Letter of the 15th present, and, in it, the Votes of both Houses of Parliament of the third; and have Direction from his Majesty to return you this Answer: That, if Justice had been done, the Gentleman that brought it could not expect his Liberty. And for the Address of the Petition of both Houses, as his Majesty, by my former Letter, declared his Resolution, That he would not receive any by the Hands of such as he had, by Name, proclaimed Traitors; so now his Majesty, having declared you the Principal in that Number, will not receive any by your Address: But, as his Majesty then declared by me, his Ear shall still be open to hear any fitting Address from either or both Houses of Parliament, in such Manner as his Majesty hath declared. This being all I have in Charge from his Majesty to signify unto you, I remain

Your Servant,

Wolverhampton, Oct. 16, 1642.

DORSET.

Then

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Then followed a Letter from the Committee of both Houſes in the Parliament's Army, to the Committee of Safety at *Weſtminſter*, in theſe Words:

My Lords and Gentlemen,

IN Obedience to the Commands of the Houſes, the Lord-General diſpatch'd Mr. Copley, *Commiſſary-General of the Muſters, to deſire a ſafe Convoy of all ſuch as his Excellency ſhould ſend with the Petition of both Houſes to his Majeſty; and, Yeſterday Morning, Mr.* Copley *returned with the foregoing Anſwer, by which your Lordſhips may perceive that his Majeſty abſolutely refuſes to receive any Petition by any Addreſs of the Lord-General, as one who is there expreſſed to be the Principal of the Number of thoſe whom the King hath proclaimed Traitors. This we humbly conceive to be an high Indignity and Scorn caſt upon the Authority of Parliament, in the Perſon of his Excellency unto whom they have committed the Care and Government of their Army, in which their Religion and Safety are ſo much concerned; and a final and utter Rejection of the ſubmiſs, dutiful, and earneſt Deſires of Peace, ſo often laid at his Feet, with the Cries and Groans of his loyal and loving Subjects.*

My Lords, we could not chuſe but expreſs this our Senſe of it; the further Conſideration whereof we leave unto your Wiſdoms; and reſt

Your Lordſhips Friends and Servants,

BEDFORD,
MANDEVILLE [p], D. HOLLES,
BROOKE, P. STAPYLTON,
WILLOUGHBY, AR. GOODWYN.

Worceſter, Oct. 18, 1642.

Which are ordered to be communicated to the City of *London*.

After the Reading of theſe Letters, the Lords thought it fit that this Denial of the King's to receive the Petition from the Lord-General, as likewiſe the Danger this Kingdom and the City of *Lon-*

[p] So ſtyled as Heir Apparent to the Earl of *Manchester*. In the foregoing Part of this Work he is called Lord *Kimbolton*, being ſummoned to the Houſe of Lords by his Father's Barony of that Name.

London is in by the advancing of the King's Army, with other Particulars in the laſt Conference, ſhould be communicated to the Citizens, that they might be provided, and more readily come into an Aſſociation for their Defence; which both Houſes had ordered to be drawn up for that Purpoſe. The Lord Mayor was accordingly ordered to call a Common Hall, and a Committee of Lords and Commons was appointed to deliver this to them. An. 18. Car. I. 1642. October.

October 21. An Ordinance of Parliament was this Day read and agreed to, importing, That the Houſes being credibly informed of the King's Approach to this City with his Army; and, by former Declarations, giving great Cauſe to expect their Intentions are to deſtroy both Parliament and City: They believe it therefore neceſſary, for their preſent Safety and Defence, that all the Stables of the City of *London*, and Suburbs, ſhould be forthwith ſearched, and the Number of Horſes in them, fit to be liſted, taken; declaring and promiſing, upon the Public Faith, to ſatisfy and pay for ſuch as ſhall miſcarry in the Uſe of them; and the reſt to be returned to the Owners of them, when this Action ſhall be paſſed and the Danger over. This Order to be ſent to the Committee of the Militia in *London* and *Weſtminſter*, and the Lord-Lieutenants and Deputy-Lieutenants of *Midaleſex* and the neighbouring Counties. An Ordinance for ſecuring all the Horſes therein.

October 22. Next follows the Earl of *Warwick*'s Commiſſion, who had been recalled from the Fleet, conſtituting him Captain-General of all the Forces raiſed, or to be raiſed, in or about *London*, without any Derogation to the Commiſſion already given by Parliament to the Earl of *Eſſex*.

Then a Declaration of both Houſes, which had been drawn up by the Committee of Safety, was read, agreed to, and ordered to be printed, which bore this Title, and was to the Effect following:

A

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A PROTESTATION *and* DECLARATION *of the* LORDS *and* COMMONS *in Parliament, to this Kingdom, and to the whole World*, Oct. 22, 1642.

The Parliament's Protestation to the whole World, in Vindication of their Proceedings.

'WE the Lords and Commons in this present Parliament assembled, do, in the Presence of Almighty God, for the Satisfaction of our Consciences, and the Discharge of that great Trust which lies upon us, make this Protestation and Declaration to this Kingdom and Nation, and to the whole World, *That no private Passion or Respect, no evil Intention to his Majesty's Person, no Design to the Prejudice of his just Honour and Authority, engaged us to raise Forces, and take up Arms against the Authors of this War, wherewith the Kingdom is now enflamed.*

'And we have always desired from our Hearts and Souls, manifested in our Actions and Proceedings, and in several humble Petitions and Remonstrances to his Majesty, professed our Loyalty and Obedience to his Crown, Readiness and Resolution to defend his Person, and support his Estate, with our Lives and Fortunes to the uttermost of our Power.

'That we have been willing to pass by not only those Injuries, Ignominies, Slanders, and false Accusations, wherewith we have been privately oppressed and grieved; but likewise many public Incroachments, and high Usurpations, to the Prejudice of Religion and Liberty; divers bloody, traiterous, and cruel Practices and Designs, for the utter Ruin of the Church and State; so as we might, for the Time to come, have been secured from that wicked and malignant Party, those pernicious and traiterous Counsels, who have been the Authors and Fomenters of the former Mischiefs and present Calamities, which have and still do distemper this Church and State.

'That for the same Purpose, and for the avoiding of Blood, we directed the Earl of *Essex* Lord-General, by himself or others, in some safe and honour-

'honourable Way, to cauſe to be delivered an humble Petition, wherein we did deſire nothing from his Majeſty, but that he would return in Peace to his Parliament; and, by their faithful Counſel and Advice, compoſe the Diſtempers and Confuſions abounding in his Kingdoms, as he is bound to do; we therein profeſs'd, in the Sight of Almighty God, which is the ſtrongeſt Obligation that any Chriſtian, and the moſt ſolemn Public Faith which any ſuch State as a Parliament can give, That we would receive him with all Honour, yield him all true Obedience and Subjection, and faithfully endeavour to defend his Perſon and Eſtate from all Danger; and, to the uttermoſt of our Power, to eſtabliſh him and his People in all the Bleſſings of a glorious and happy Reign, as it is more largely expreſſed in that Petition. An. 18. Car. I. 1642. October.

'For the Delivery of which Petition, his Excellency hath twice ſent unto the King, humbly deſiring a ſafe Conduct for thoſe who ſhould be employed therein: But his Majeſty refuſed to give any ſuch ſafe Conduct, or to receive this humble and dutiful Petition, by any Addreſs from the Earl of *Eſſex*; ſaying, *That if Juſtice had been done, the Gentleman which brought the ſecond Meſſage could not expect his Liberty.*

'By all which, and many other Evidences and Inducements, we are fully convinced in our Judgments and Belief, That the King's Counſels and Reſolutions are ſo engaged to the Popiſh Party, for the Suppreſſion and Extirpation of the true Religion, that all Hopes of Peace and Protection are excluded; and that it is fully intended to give Satisfaction to the Papiſts, by Alteration of Religion; and to the Cavaliers and other Soldiers, by expoſing the Wealth of the good Subjects, eſpecially of this City of *London*, to be ſack'd, plundered, and ſpoiled by them.

'That for the better effecting hereof, great Numbers of Papiſts have, in Shew, conformed themſelves

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'ſelves to the Proteſtant Religion, by coming to the 'Church, receiving the Sacrament, and taking the 'Oaths of Allegiance and Supremacy; which ſome 'of their own Prieſts have encouraged them to 'do, by maintaining, *That they might do all thoſe 'Things, and yet continue good Catholicks:* Under 'which Cover his Majeſty did, at firſt, begin to 'ſtrengthen himſelf (thoſe of that Religion being 'weak, and unable to endure the Envy and Diſcon-'tent which the Arming of Papiſts would procure 'in the Kingdom); and therefore endeavoured to 'keep off all Jealouſies and Suſpicions, by many 'fearful Oaths and Imprecations, concerning his 'Purpoſe of maintaining the Proteſtant Religion 'and the Laws of the Kingdom; cauſing ſome pro-'feſs'd Papiſts to be diſcharged out of his Army; 'and none to be received that would not endure the 'Teſt of coming to Church, receiving the Sacra-'ment, and taking the Oaths of Allegiance.

'That his Majeſty being now grown ſtronger, 'and able, as he conceives, to make good his own 'Ends by Arms, his Confidence in the Prieſts doth 'more clearly appear: Perſons impriſoned for Prieſts 'and Jeſuits have been releaſed out of the Goal of '*Lancaſter*; profeſs'd Papiſts have been invited to 'riſe and take up Arms; Commiſſions, under his 'Majeſty's Authority, have been granted to many 'of them for Places of Command in this War, with 'Power to raiſe Men; and great Numbers have 'been raiſed by them, and they daily increaſe; as 'namely, to Sir *Nicholas Thornton*, Sir *Thomas 'Howard*, Bart. Sir *Edward Widdrington*, Sir '*William Kiddell*, Mr. *Smith* of *Aſh*, Mr. *Grey* of '*Morpeth-Caſtle*, Mr. *Errington* of *Denington*, Mr. '*Heitby*, all of *Northumberland*, Biſhoprick of *Dur-'ham*, and *Newcaſtle*; to Mr. *Clifton*, Mr. *Walter*, 'Sir *William Gerrard*, Bart. Sir *Cecil Trafford*, and 'Mr. *Anderſon* of *Loſtocke*, in the County of *Lan-'caſter*; divers Forces are raiſed, and paid by the 'Earl of *Worceſter*; his Son, the Lord *Herbert*, a 'notorious Papiſt, is made General of all *South-Wales*;

'*Wales*: And we are further informed out of *York-* An. 18. Car. I.
'*ſhire*, by divers Perſons of great Worth and Qua- 1642.
'lity, That thoſe that raiſe Forces in thoſe Parts October.
'for his Majeſty, do arm and employ Papiſts, and
'uſe their Advice in their Conſultations; all which
'is contrary to the ſolemn Oaths, Proteſtations,
'and Execrations, whereby his Majeſty bound him-
'ſelf to maintain the Proteſtant Religion, and the
'Laws of the Land; by which he endeavoured to
'get a Confidence in the People of his good Inten-
'tions; which, how well it is anſwered, we leave
'to the World to judge.

'That Sir *John Henderſon* and Col. *Cochran*,
'Men of ill Report both for Religion and Honeſty,
'are ſent to *Hamburgh* and *Denmark*, we are cre-
'dibly informed, to raiſe Forces there, and to bring
'them to *Newcaſtle*; to join them with the Earl of
'*Newcaſtle* and the Army of Papiſts which they
'intend to raiſe there; and that divers Endeavours
'have been uſed, in other foreign Parts, to bring
'ſtrange Forces into the Kingdom.

'That the King hath received about him divers
'Papiſts of *Ireland*, ſome of which are indicted of
'High Treaſon for their Rebellion there, notori-
'ouſly known to have been in actual Rebellion; as
'namely, the Lord *Taaffe*, Sir *John Oungane*, Col.
'*Fitz-Williams*, proclaimed Rebels; Dr. *Meara*,
'indicted for the Rebellion in *Ireland*, and fled for
'the ſame, and yet appointed Phyſician to Prince
'*Rupert*.

'That his Majeſty hath ſent for the Petition of
'the *Iriſh* Rebels, which the Juſtices had ſtopped,
'with evident Expreſſion of Favour to them;
'whereby that Kingdom is like to become an unfit
'Habitation of any Proteſtants, and a Seminary of
'War and Treaſon againſt this Kingdom.

'That divers *Engliſh* Traitors, Actors in the
'former Deſigns againſt the Kingdom and Parlia-
'ment, are the chief Counſellors and Actors in this
'unnatural War againſt his Subjects, as the Lord
'*Digby*, *O'Neal*, *Wilmot*, *Pollard*, *Aſhburnham*, and
'others.

'That

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'That we have been likewiſe credibly informed, 'That divers Jeſuits and Prieſts, in foreign Parts, 'make great Collections of Money, for Relief of 'the Papiſts in *Ireland*, and the furthering of his 'Majeſty's Deſigns here againſt the Parliament; 'and that by them, and ſome others fled out of 'this Kingdom for Treaſon, great Means are made 'to make up the Differences betwixt ſome Princes 'of the *Romiſh* Religion, that ſo they might unite 'their Strength, for the Extirpation of the Prote-'ſtant Religion; wherein principally this Kingdom 'and the Kingdom of *Scotland* are concerned, as 'making the greateſt Body of the Reformed Reli-'gion in *Chriſtendom*, and beſt able to defend them-'ſelves and ſuccour other Churches.

'For all which Reaſons we are reſolved to enter 'into a ſolemn Oath and Covenant with God, to 'give up ourſelves, our Lives and Fortunes, into 'his Hands; and that we will, to the uttermoſt of 'our Power and Judgment, maintain his Truth, 'and conform ourſelves to his Will. That we will 'defend this Cauſe with the Hazard of our Lives, 'againſt the King's Army, and againſt all that join 'with them in the Proſecution of this wicked De-'ſign; according to the Form to be agreed upon 'by both Houſes of Parliament, to be ſubſcribed 'by our Hands; and that we will, for the ſame 'Ends, aſſociate ourſelves, and unite with all the 'Well-affected in the City of *London* and other 'Parts of his Majeſty's Dominions.

'That we expect our Brethren of *Scotland* (ac-'cording to the Act of Pacification, whereby the 'two Kingdoms are mutually bound to ſuppreſs all 'Debates and Differences, to the Diſturbance of 'the Public Peace) will help and aſſiſt us in Defence 'of this Cauſe; for, if the Popiſh Party prevail, it 'muſt needs either involve them in that Alteration 'of Religion which will be made here, or engage 'them in a War againſt this Kingdom, to defend 'their own Religion and Liberty: And we doubt 'not but the God of Truth, and the great Pro-'tector of his People, will aſſiſt and enable us, in

'this

'this our just Defence, to restrain the Malice and 'Fury of those that seek our Ruin; and to secure 'the Persons, Estates, and Liberties of all that join 'with us; and to procure and establish the Safety 'of Religion, and Fruition of our Laws and Liber-'ties, in this and all other his Majesty's Dominions; 'which we do, here again, profess, before the 'ever-living God, to be the chief End of all our 'Counsels and Resolutions, without any Intention 'or Desire to hurt or injure his Majesty, either in 'his Person or just Power.' An. 18. Car. I. 1642. October.

There is no Mention of any Answer from the King to this Protestation of Parliament, in the *Journals:* We give it here for the Sake of Connection, though it was printed after the Battle of *Edge-Hill.* [q] This Circumstance of Time is necessary to be taken Notice of, on account of some Expressions which carry a Reference to that Action.

'IF, in truth, the Framers of this Declaration 'are not engaged by any private Passion or Re-'spect, by any evil Intention to our Person, or De-'sign to the Prejudice of our just Honour and Au-'thority, to raise these Forces and Army against us, '(as they call Almighty to God witness they are 'not) they will think it their Duty to disclaim the 'Protection of the Conductors of that Army; who, 'the next Day after this so solemn Protestation, 'used their utmost Power, by the Strength of that 'Army, to have destroyed us, and put our Person '(for whose Defence they would make the World 'believe this Army is raised) into as much Danger 'as the Skill and Malice of desperate Rebels could 'do; otherwise this Protestation, now made, will 'appear of the same Nature with those by which 'they promised to make us a glorious King; when, 'by their Nineteen Propositions, they endeavoured 'to strip us of all those Rights which made us a 'King and them Subjects. The King's Answer to it.

[q] Printed at *Oxford* by *Leonard Litchfield*, Printer to the University, 1642.

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'What those Actions and Proceedings have been, 'which have manifested their Loyalty and Obedi- 'ence unto us, will be as hard to find, as in their 'humble Petitions and Remonstrances; when, in 'truth, their Actions have been the greatest Scorns 'of our Authority, and their Petitions the greatest 'Reproaches and Challenges of us, which any Age 'have produced: And we have not only the clear 'Evidence of our own Conscience, but the Testi- 'mony of all good Men, that we left no Action 'unperformed on our Part, which might have pre- 'vented the Misery and Confusion which the Am- 'bition, Fury, and Malice of these seditious Per- 'sons have brought upon this poor Kingdom; nei- 'ther is there any Thing wanting to the Happiness 'of Church and State, but that Peace and Order 'which the Faction of these Men have robbed them 'of.

But they say, *They directed their General, the 'Earl of* Essex, *to deliver an humble Petition to us, 'wherein they desire nothing from us, but that we 'would return in Peace to our Parliament; and, by 'their faithful Counsel and Advice, compose the Di- 'stempers and Confusions abounding in our Kingdoms, 'as we are bound to do.* We were never so back- 'ward in receiving, or so slow in answering, the Pe- 'titions of either or both our Houses of Parliament, 'that there was any Need of an Army to quicken 'us; which either or both Houses of Parliament 'have, in no Case, any more Shadow of Right or 'Power to raise by any Law, Custom, or Privilege, 'than they have, by their Votes, to take away the 'Lives and Fortunes of all the Subjects of *England*; 'yet the Framers of this Declaration take it unkind- 'ly, *that, upon their Profession in the Sight of Al- 'mighty God, (which is,* they say, *the strongest As- 'surance that any Christian can give) we did not put 'ourself into their Hands,* (those Hands which were 'lifted up against us, and filled at that Time with 'Arms to destroy us) and leave a Strength God had 'supplied us with, of good and faithful Subjects; 'who, notwithstanding all their Threats and Me-

'naces,

'naces, had brought themſelves to our Aſſiſtance. An. 18. Car. I. 1642. October.
'If that Petition had been ſo humble as they pre-
'tended, they would not have loſt the Advantage of
'publiſhing it in this their Declaration; that the
'World might as well have been Witneſſes of our
'Refuſal of Peace, as it hath been of their Diſdain
'of any Way to it, when they rejected our ſeveral
'earneſt Offers of a Treaty.

'But why did they not ſend this humble Petition?
'Why, *His Excellency twice ſent unto us for a Safe-*
'*Conduct for thoſe who ſhould be employed therein,*
'*and we refuſed to give any, or to receive the humble*
'*and dutiful Petition.* Sure, when our good Sub-
'jects ſhall underſtand the ſtrange Enmity between
'theſe Men and Truth, the No-conſcience they
'uſe in publiſhing, and informing thoſe by whom
'they pretend to be truſted, Things monſtrous and
'contrary to their own Knowledge, they will be
'no leſs offended with their Falſhood to them,
'than their Treaſon to us. 'Tis well known we
'never refuſed to give Admittance to any Meſſage
'or Petition from either or both Houſes of Parlia-
'ment; their Meſſengers have been received and
'entertained, not only with that Safety, but with
'that Candour, as is due to the beſt Subjects;
'when their Errand hath been full of Reproach and
'Scorn, and the Bringers, bold, arrogant, and ſe-
'ditious in their Demeanour; and therefore there
'needed to have been no more Scruple made in the
'Delivery of this, than the other Petitions which
'have been brought us.

'The Truth is, we were no ſooner acquainted
'at *Shrewſbury*, by the Earl of *Dorſet*, that he had
'received a Letter from the Earl of *Eſſex*, intima-
'ting, *That he had a Petition from both Houſes to*
'*be delivered to us, and to that Purpoſe aſking a*
'*Safe-Conduct for thoſe who ſhould be ſent*; but we
'returned this Anſwer, *That as we had never re-*
'*fuſed to receive any Petition from our Houſes of*
'*Parliament, ſo we ſhould be ready to give ſuch a*
'*Reception and Anſwer to this as ſhould be fit*; *and*
'*that the Bringers of it ſhould come and go with*

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'*all Safety*; *only we required, that none of thoſe* '*Perſons whom we had particularly accuſed of High* '*Treaſon ſhould be, by Colour of that Petition, em-* '*ployed to us.*

'After this we heard no more till a ſecond Letter, 'at leaſt a Fortnight after the firſt to the Earl of '*Dorſet*, informed us, *That our former Anſwer was* '*declared to be a Breach of Privilege, in that we* '*would not allow any Meſſengers to come to us*; 'that is, that we were not content that ſuch Perſons, 'who had conſpired our Death, might ſecurely 'come into our Preſence.

'Our ſecond Anſwer differed little from our for- 'mer, inſiſting, *That the Addreſs ſhould not be made* '*by any of thoſe Perſons whom we had particularly* '*accuſed of High Treaſon, amongſt whom the Earl* '*of* Eſſex *himſelf was one*; *but declaring that our* '*Ear ſhould be ſtill open to hear any Petition from our* '*two Houſes of Parliament*: Whether this were a 'Denial from us to receive their Petition, or whe- 'ther, if our two Houſes of Parliament had indeed 'deſired to treat with us by Petition, they might not 'as well have ſent it to us, as they have ſince done 'their Inſtructions to their Ambaſſadors into *Ireland*, 'and their new Bill for rooting out Epiſcopacy, and 'deviſing a new Form of Church-Government, let 'all the World judge. We have Reaſon to believe 'that the Petition then prepared for us (if we have 'ſeen the true Copy of it) was thought, by the Per- 'ſon truſted for the preſenting of it, fitter to be de- 'livered after a Battle and full Conqueſt of us, than 'in the Head of our Army, when it might ſeem, 'ſomewhat, in our Power whether we would be 'depoſed or not.

'For that continued diſhoneſt Accuſation of our 'Inclination to the Papiſts, (which the Authors of 'it, in their own Conſciences, which will one Day 'be dreadful to them, know to be moſt unjuſt and 'groundleſs) we can ſay no more, and we can do 'no more, to the Satisfaction of the World. If 'they know that the Romiſh Prieſts have encoura- 'ged thoſe of that Religion to conform themſelves

'to

'to the Proteſtant Religion, by coming to Church, An. 18. Car. I.
'receiving the Sacrament, and taking the Oaths of 1642.
'Allegiance and Supremacy, they are more con- October.
'verſant with the Subtilties of them than we are;
'but we muſt confeſs, till we be certain they have
'found that Way to deceive us, that is, to elude
'the Laws which are againſt them, we ſhall, in
'Charity, believe their Conformity to be real, and
'not pretended: But that any Prieſts or Jeſuits,
'impriſoned, have been releaſed by us out of the
'Goal of *Lancaſter*, or any other Goal, is as falſe
'(to uſe an Expreſſion of their own) as the Father
'of Lies could invent; neither are the Perſons
'named in that Declaration, to whom Commiſſions
'are ſuppoſed to be granted for Places of Command
'in this War, ſo much as known to us; nor have
'they any Command, or, to our Knowledge, are
'preſent in our Army; and 'tis ſtrange that our
'Oaths and Proteſtations before Almighty God,
'for the Maintenance of the Proteſtant Religion,
'ſhould be ſo ſlighted in the End of that Declara-
'tion; when, in the Beginning of it, it is acknow-
'ledged to be the ſtrongeſt Obligation and Aſſu-
'rance that any Chriſtian can give. We deſire to
'have our Proteſtations believed by the Evidence
'of our Actions: But they are informed (and that
'is Ground enough for them to lay the baſeſt Im-
'putation upon their Sovereign) that Sir *John Hen-*
'*derſon* and Colonel *Cochran* (Men of ill Report
'both for Religion and Honeſty) are ſent to *Ham-*
'*burgh* and *Denmark*, (we thought we ſhould have
'heard no more News from *Denmark*) to raiſe
'foreign Forces, and to bring them hither. We
'have before, in our Declarations, (ſufficient to
'ſatisfy any honeſt Man) declared our Opinion and
'Reſolution concerning foreign Force; and we had
'never greater Cauſe to be confident of Security in
'our own Subjects, and therefore cannot believe ſo
'vile a Scandal can make any Impreſſion in ſober
'Men.

'Let a Liſt of the Nobility and Gentry about
'us, and in our Service, be viewed; and will they

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'not be found the moſt zealous in the Proteſtant 'Religion, the moſt eminent in Reputation, of the 'greateſt Fortunes, and the greateſt Fame, the moſt 'public Lovers of their Country, and moſt earneſt 'Aſſertors of the Liberty of the Subject, that this 'Kingdom hath? How different the Reputation of 'the principal Ringleaders of this Faction and Re-'bellion is, how careful they are of employing vir-'tuous and honeſt Men, is apparent to all the 'World; when they have entertained all the deſ-'perate and neceſſitous Perſons (whereof very many 'are Papiſts, which we ſpeak knowingly, as having 'taken ſeveral of them Priſoners) they can draw to 'them; and when they ſuperſede a Proceeding, at 'the Common Law, for an odious and infamous 'Crime, that Mr. *Griffen* may have Liberty to 'keep them Company in this Rebellion.

'For our Affection and gracious Inclination to 'the City of *London*, and how far we are from any 'ſuch Purpoſe as theſe impious Men charge us 'with, appears in our late Proclamation; in which 'we declare the Suburbs to be comprehended, as 'well as the Cities of *London* and *Weſtminſter*; to 'which we doubt not they will give that Credit 'and Obedience, as we ſhall have Cauſe to com-'mend their Loyalty in joining with us to ſuppreſs 'this Rebellion; which, uncontrolled, in a ſhort 'Time muſt make that Place moſt miſerable.

'For the Oath and Covenant which they threaten 'us with; if it be to engage them to do, or not to 'do, any thing contrary to the Oaths they have 'already taken of Allegiance and Supremacy; as it 'cannot oblige them being taken, ſo we doubt not 'our good Subjects will eaſily diſcern that it is a 'Snare to betray and lead them into a Condition of 'the ſame Guilt, and ſo of the ſame Danger with 'themſelves: And we muſt therefore declare, who-'ſoever ſhall hereafter ſuffer himſelf to be cozened 'by thoſe Stratagems, and take ſuch a voluntary 'Oath againſt us, we ſhall impute it to ſo much 'Malice, as will render him uncapable of our Par-'don; and ſhall proceed againſt him as a deſpe-

'rate

'rate Promoter of Sedition, and an Enemy to the 'Kingdom. An. 18 Car. I. 1642.

'Let all honeſt Men remember the many gracious Acts we have paſſed this Parliament, for the 'Eaſe and Benefit of our People; that when there 'was nothing left undone or unoffered by us, which 'might make this Nation happy, theſe miſchievous Contrivers of Ruin, inſtead of acknowledging our Grace and Juſtice, upbraided us with all 'the Reproaches Malice and Cunning could invent, 'in a Remonſtrance to the People, a Thing never 'heard of till that Time; that having thus incenſed 'mutinous and ſeditious Minds, they made Uſe of 'them to awe the Parliament, driving us and the 'major Part of both Houſes from our City of *London*; that they took away our Fort and Town of '*Hull* from us, kept us from thence by Force of 'Arms, and employed our own Magazine againſt 'us; that they ſeized upon our Royal Navy, and 'with it chaſed our good Subjects, and kept all 'Supply from us; that they voted away our Negative Voice, and then raiſed a formidable Army to 'deſtroy us; that when they had thus compelled 'us to raiſe ſome Power for our Defence, (by the 'Help of ſuch of our good Subjects, who, againſt 'the Fury of theſe Men, durſt continue loyal) they 'abſolutely and peremptorily refuſed to treat with 'us for the Peace of the Kingdom: And, laſtly, 'That on the twenty-third Day of *October*, they 'brought this Army (raiſed for the Defence of our 'Perſon) into the Field againſt us; and uſed their 'beſt Skill and Means to deſtroy us and our Children. We ſay, whoever remembers and conſiders 'this Progreſs of theirs, will think of no other Covenant than to join with us in the apprehending 'the Authors of this miſerable Civil War; that 'Poſterity may not, with Shame and Indignation, 'find that a few ſchiſmatical ambitious Perſons 'were able to bring ſuch a flouriſhing glorious 'Kingdom, which hath ſo long reſiſted the Envy 'of *Chriſtendom*, to a ſpeedy Deſolation to ſatisfy 'their own Pride and Ambition. October.

'And

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'And we doubt not our good Subjects of *Scotland* 'will never think themſelves engaged by the Act of 'Pacification, (to which we willingly conſented) to 'aſſiſt a Rebellion againſt their own natural King, 'for the Aſſiſtance of Perſons accuſed, and notori- 'ouſly known to be guilty, of High Treaſon; the 'bringing of whom to condign Puniſhment would, 'with God's Bleſſing, be a ſpeedy Means of Hap- 'pineſs and Peace to our three Kingdoms.'

His Majeſty reſolves to march towards *London*.

The King, having by this Time greatly augmented his Army at *Shrewſbury* and the Counties adjacent, left the Earl of *Eſſex* behind him at *Worceſter*, and reſolved to march directly towards *London*. This Reſolution put both Houſes and the City into the utmoſt Conſternation; the Parliament not only ſent to their General to haſten after the King, but, by their late Orders, were endeavouring to raiſe another Army, under the Command of the Earl of *Warwick*, to oppoſe him. And,

The Parliament and Citizens prepare for their Defence.

October 24. Orders were given, requiring all Manner of Perſons whatſoever, in *London*, *Weſtminſter*, and *Southwark*, to ſhut up their Shops, and forbear their Trades; that ſo they might, with the greater Freedom and Diligence, for the preſent, attend the Defence of the ſaid Places, and put in Execution ſuch Commands as they ſhould, from Time to Time, receive from both Houſes of Parliament for that Purpoſe. And, to ſecure themſelves within Doors, the Houſe of Commons had thought fit to require a Declaration from each of their Members, ſeparately, That they would be aſſiſting to the Earl of *Eſſex* in this Cauſe, with their Lives and Fortunes; and, as a Teſtimony of it, to give or lend ſome Money, immediately, for that Service.

An Ordinance of Parliament was this Day read and agreed to, *For making Proviſion for thoſe that ſhould be maimed in the preſent War, in the Service of the Parliament; and alſo for the Wives and Children of thoſe that ſhould be ſlain*; which ſeemed to be

be providentially made; for the Battle of *Edge-Hill* was fought the Day before, and many unfortunate Persons were now intitled to the Benefit of this Ordinance: But no Mention is yet made in the *Journals* of the Event of this Battle. An. 18. Car. I. 1642, October.

October 25. An Order was made for putting the City Militia, &c. in Motion; and another for allowing a Maintenance to the King's youngeſt Children, the Duke of *Glouceſter* and the Princeſs *Elizabeth*, then at St. *James*'s, out of his Majeſty's Revenues, which the Parliament had taken into their own Hands. Then the Lords adjourned to the Afternoon of

October 26. When a Proclamation from the King, entered in the *Journal* of this Day, was read, but not mentioned who delivered it. The Contents were theſe:

CHARLES *R.*

'HIS Majeſty, verily believing that many of his Subjects, who are now in actual Rebellion againſt him, are ignorant againſt whom they fight, is graciouſly pleaſed to promiſe free Pardon to both Officers and Soldiers (except thoſe that are, by Name, proclaimed Traitors) who ſhall lay down their Arms and ſubmit themſelves to his Majeſty. The King's Offer of Indemnity to ſuch as lay down their Arms.

'We command you, *Clarencieux* King at Arms, to pronounce this above-written before the Earl of *Eſſex*'s Army.'

The ſame Day the Lord *Wharton* made a Relation of the Fight which had happened on *Sunday* laſt, the twenty-third Inſtant, between the Parliament's Forces and the King's, at a Place between *Warwick* and *Banbury*, near a Town call'd *Keynton*; and that it was conceived there were ſlain, of the King's Party, 3000; and, on the Parliament's Side, not above 300: That the Lord-General with his Forces were retired to *Warwick*, and that the King's Army The Lord *Wharton*'s Relation of the Battle of *Edge-Hill*;

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Army was in those Parts, but that they refused to meet the Parliament's Forces on the *Monday* before his Excellency retired. [r]

Which is ordered to be communicated to the Citizens of *London*.

October 27. The Lord *Wharton* signified to the Lords, That the Lord-General desir'd the Relation of the Battle at *Keynton* might be made to the City of *London*, having found so much Friendship from them to the Parliament's Cause. Hereupon the House ordered the Lord Mayor to be sent to, to call a Common Hall to meet this Afternoon, at Five o'Clock; and an extraordinary Committee of both Houses to be appointed to go to the City, where the Lord *Wharton* was to make the Relation to them. Accordingly a Committee of ten Lords and twenty Commoners was sent; some of whose Speeches on this Occasion, being yet preserved in a Pamphlet of this very Time, and no where else that we know of, deserve our Notice. We shall therefore give them in their own Phrase and Diction: [s]

And first the Lord *Wharton*.

My Lord Mayor, and you the Aldermen and Common Council of this City,

Lord *Wharton*'s Speech at the *Guildhall* on that Occasion.

'IN a Business of this very great Consequence and Concernment, it was very well known to my Lord-General, that you could not but be full of great Expectations; and my Lord had, according to his Duty, taken Care for to give Information to the Parliament, who had sent him, of what had proceeded: In the very next Place it was his particular Respect to this City, to my Lord Mayor, the Aldermen, the Common Council, and all the Commons of this City, that they might likewise be acquainted with the Success of that Business; towards

' which

[r] The King's Account of this Battle, printed at *Oxford* by *Leonard Litchfield*, and the Parliament's Relation of the same, may be seen in *Rushworth*, Vol. V. *p.* 33. *et seq.*

[s] *London*, printed for *Francis Coles* and *Thomas Bates*, 1642. In the Collections of the late Sir *Henry Goodricke*, of *Ribston*.

which they themſelves had been at ſo much Expences, and ſhewed ſo much Love and Kindneſs in all their Proceedings for that Purpoſe: And becauſe Letters might be uncertain, and might miſcarry, there being great Interception of them. the Forces of the Armies being cloſe together, my Lord thought fit to ſend Mr. *Strode*, a Member of the Houſe of Commons, and myſelf: And certainly whatſoever ſhall be related by us to you, it will be good News, or elſe we ſhould not willingly have undertaken the bringing of it; and for the Truth of it, though we already hear that there are thoſe that have ſo much Malignity as to oppoſe it, yet the Certainty of it will clear itſelf; and therefore there ſhall need no Apologies to be made, but that which ſhall be ſaid to you, ſhall be the Truth, and nothing but the Truth, in a very clear Way of Relation of what hath paſt. An. 18. Car. I. 1642. October.

'Gentlemen, I ſhall open to you, as near as I can, as it comes within my Memory, thoſe Circumſtances which are worthy the taking Notice of:

'And firſt, the Occaſion why ſo many of the Forces were not then upon the Place; which you will find to be upon very good Ground and Reaſon, for the Preſervation of the Counties that were behind, and of this City, which is the particular Thing in the Care, and now under the Diligence, of my Lord-General to preſerve. There was left at *Hereford*, which lies upon the Confines of *Wales*, a Regiment of Foot under the Command of my Lord of *Stamford*, and a Troop or two of Horſe; that the Power of *Wales* might not fall in upon *Glouceſterſhire* and upon the River of *Severn*, and ſo upon the *Weſt*. There was likewiſe left at *Worceſter* (which you all know how it is ſeated upon the River of *Severn*, and what Advantage it hath to intercept all Force that ſhall come from *Shrewſbury* down into the *Weſt*) a Regiment of Lord *St. John* and Sir *John Merrick*'s. There was, for the Safety of *Coventry* (for that was a Town it was likely the King might have fallen upon) the Regiment of my Lord *Rochford*; but it ſeems that his Excellency's the

An. 18. Car. I. 1642. October. the Earl of *Essex*'s Army did so quickly come up to the King's, that his Majesty thought it no way fit or advantageous for him to spend any Time upon those Places, for certainly they would have very quickly been relieved; so that the King stepped by *Warwick* and *Coventry*, which, otherwise, we conceive they were Towns he had as good an Eye upon as any other Towns in the whole Kingdom excepting this. There were likewise, occasioned by the Suddenness of my Lord's March, two Regiments of Foot, one under the Command of a Gentleman you all know, Col. *Hampden*, and the other under the Command of Col. *Grantham*, with some ten or twelve Troops of Horse, one Day's March behind; bringing up some Powder, Ammunition and Artillery, which my Lord would not stay for; purposely upon his Diligence and Desire that there should not be an Hour lost in pursuing after that Army, and that he might make all Haste in coming up to this Town: And his Desire to make Haste to keep with that Army was such, that he kept, for two or three Days together, a Day's March before that Army; and so, there being another Regiment lodged in *Banbury*, occasionally, for their own Safety, there was with the Earl, when the Battle was fought upon the Lord's Day, eleven Regiments of Foot, and about the Number of thirty-five or forty Troops of Horse. That which makes me say this to you, is partly for your Satisfaction, that you may know the Reasons of the Things that are past; and partly that you may give the more Glory to God for his Blessing, and for his Preservation of that Remnant of the Army.

'Upon the *Saturday* at Night, after a very long March, for they came not in till nine or ten o'Clock at Night, the Army came to *Keynton*; and the next Morning, about seven o'Clock, (though all that Night there was News came that the King was going to *Banbury*) we had certain Information he was coming down a Hill, called *Edge-Hill*, which hath some Advantage by Nature for Forts and Breast-Works, and such Things as those are; and the King's

King's Army (that Army which, being raiſed by his Authority, goes under the Pretence of being raiſed for him and the Parliament, but really againſt the Parliament) coming down the Hill, my Lord of *Eſſex* preſently drew out into the Field; and drew his Army into a Place of as good Advantage as poſſibly he could, tho' the other Army had the Advantage by the Hill, which they were poſſeſſed of before; and, at the Beginning of the Day, the Wind was againſt us, and was for the Advantage of the other Army. The Preparation on both Sides was for the making of them ready for Fight, and the King's coming down the Hill was ſo long, that there was nothing done till Four in the Afternoon. And, Gentlemen, I ſhall tell you the worſt as well as the beſt, that you may know all; and that when you have known the worſt, you may find it in your Judgments, to give the more Praiſe to God for his Mercy, after there was ſo little Probability of any Succeſs. An. 18. Car. I. 1642. October.

'After we had ſhot two or three Pieces of Ordnance, they began for to ſhoot ſome of theirs; and truly, not long after, before there was any near Execution, three or four of our Regiments fairly ran away. I ſhall name you the Particulars, and afterwards name you thoſe that did the extraordinary Service, whereof you will find thoſe of this City to have been very extraordinary Inſtruments. There were that ran away, Sir *William Fairfax*'s Regiment, Sir *Henry Cholmley*'s, my Lord *Kimbolton*'s, and, to ſay the plain Truth, my own.

'Gentlemen, you ſee by this Time, I am like to tell you the Truth of every Thing; but yet I muſt ſay this, that tho' they did ſo, I hope there will be a good Number of them got together again, that may ſhew themſelves in better Condition, and better Way of Service than yet they have done: I hope ſo, and, by the Bleſſing of God, it may be ſo, for they are but young Soldiers; and we have ſome young Soldiers that have, this laſt Battle, done very extraordinary and gallant Service.

'Not

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'Not long after there was a Charge upon the Left Wing of the Horſe, where I conceive there was a Matter of eighteen or nineteen Troops; and truly I cannot ſay they did ſo well as they ſhould, though I hope there are not many of them cut off neither, but that they will be brought together again to do very good Service hereafter; but ſo it is, they had the worſt of it. By this you will ſee that, at the Beginning of the Day, we might think it would not prove ſo well as it pleaſed God it did afterwards in the Cloſe of the Day; for four Troops were divided, and one Part of the Horſe was not in good Order; but it pleaſed God now to ſhew himſelf, for after the King's Horſe had paſt the Left Wing of our Horſe, (I cannot ſay it was in any Hands but God's own Providence) they went to the Town where all our Baggage was, (the Baggage of the Officers and the private Perſons of the Army, not they of the Artillery, but the Colonels Carts and the Captains Carts, and ſuch Proviſion as that) and there they took a Bait upon our Pillage, and fell a Plundering all the while the reſt of the Army was fighting; and indeed my Lord-General had ſome more Loſs than ordinary, by ſome Cloaths and Money he had there; but we may thank God they were away, for thereby the reſt of our Army had better Opportunity to do the Service they did.

'My Lord-General himſelf, upon this Extremity, did begin to ſhew himſelf to be more than an ordinary Man, and indeed I think more than I have heard tell of any Man; for he charged up at ſeveral Times, once with his own Troop of Horſe, as I remember, but I am ſure with his own Regiment of Foot, which was raiſed here in *Eſſex*; and tho' ſo many ill Paſſages happened before, yet by his own Foreſight and Encouragement, and the Encouragement of others, his Troop of Horſe fell upon the King's own Regiment, (which they had the moſt Hopes of) called the *Red Regiment*; and, after a ſore and bitter Fight (for to give them their Due, they fought very well, thoſe of my Lord of *Eſſex*'s Regiment I mean, and thoſe Horſe I ſpake of before)

before) they killed the King's Standard-Bearer, Sir *Edmund Verney*; also took the King's Standard which was raised up against the Parliament, and brought it to my Lord-General; and he delivered it to a Servant, who was not so careful as he ought to have been; yet it was not re-taken by Force, but by the Carelesness and Negligence of some Persons: They took likewise the Earl of *Lindsey* the King's General, Prisoner, and carried him away; they took Prisoner the Lord-General's Son, my Lord *Willoughby* of *Eresby*; as also the Person you have heard so much of, and been so well acquainted with here, Col. *Lunsford*, which should have had the *Tower*; he was likewise taken Prisoner, and his Brother slain; Sir *Edward Stradling* Prisoner, and divers others of Quality, as my Lord *Aubigny*, Col. *Vavasour*, and Sir *Edward Murray*, a *Scotsman* of great Quality. An. 18. Car. I. 1642. October.

'While these were upon this Service, I must do Justice to divers other of the Officers of the Horse, which were upon the Right Wing, that did extraordinary Service too; that was my Lord of *Bedford* himself, who did very gallantly; Sir *William Balfour*, the late Lieutenant of the *Tower*, Sir *Philip Stapylton*, and all the Troop which formerly had been under some other Kind of Report, did extraordinary Service, and kept entirely to their Charge; and though they were long under the Power of the other's Cannon, there being some seventeen Shot against them, they stood still; and, God be thanked, not a Man of them hurt.

'There was likewise very extraordinary Service performed by my Lord *Grey*, and Sir *Arthur Haselrig*, who indeed were a Help to give a great Turn to the Day, by cutting off a Regiment of the King's, which was called the *Blue Regiment*; and there were many other Gentlemen of great Worth, that did very extraordinary Service too. I would not have you understand that others did not do it, because I remember not their Names, for I speak to you now but on the sudden; only these I have named

come

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come now to my Memory, and you will hear more of the reſt upon other Occaſions.

'Upon the Cloſe of the Day, we knew it for certain that the beſt Regiment of the King's was cut off, and his next beſt Regiment, which was that under my Lord of *Lindſey*; that there were all the Priſoners taken and Perſons of Quality ſlain I told you of; and we were informed by the Countrymen, that ſaw them bury their Dead next Day, and bring them up into Heaps, that there were about 3000 of theirs ſlain; and we cannot believe, nor we cannot have any Information to give us Reaſon to believe, that there were above 300 of ours ſlain.

'It is to be obſerved of God's Providence in this Day's Work, that tho' it began ſo improbably, yet before the Cloſe of the Night, which was two Hours, (for they began to fight but about Four o'Clock) we had got the Ground that they were upon; and had alſo got the Wind of them; and we do not know, nor by Information can conceive, that there were twenty Men of ours killed by all the King's Cannon.

'And when it was Night and there could be no more Fighting, we drew our Forces together, and ſo likewiſe did the King. They were then but at a reaſonable Diſtance, it may be three Times, or ſix Times the Length, or ſome ſuch Diſtance, of this Room; but in the Night the Forces of the King withdrew up towards the Hill from whence they came; and my Lord-General ſent, amongſt others, myſelf for to bring up thoſe Forces to him, which I told you were a Day's March behind; theſe were Col. *Hampden* and Col. *Grantham*, and thoſe Troops of Horſe, and the Artillery; and about one or two o'Clock the next Morning, they came to my Lord-General, and joined with the reſt of the Army.

'When the King had drawn his Forces up the Hill, my Lord-General drew us a matter of three Quarters of a Mile further from the Hill, that he might be out of the Power of their Cannon; there we ſtood on our Arms all the Night, and in the Morn-

Morning drew ourſelves again into the Field; but we heard no more News of the other Army, more than we ſaw ſome ſcattering Men, of ſome three or four Troops of Horſe on the Top of the Hill, which came to bury the Dead, and to take away ſome of their Cannon, and ſuch Things as thoſe were; but they came no more down the Hill, neither that Day, nor on *Tueſday*; tho' there were divers Reports came to us in the Army, and I believe came hither, that there was Fighting on *Monday* and *Tueſday*: But there was no Fighting, for the King kept on the Top of the Hill; and we came away on *Tueſday*, at four o'Clock; ſo that we can aſſure you there was no more Action, than what was on the Lord's Day. An. 18. Car. I. 1642. October.

'Gentlemen, now I have declared this Narration to you, I ſhall ſay no more than this, That certainly my Lord-General himſelf hath deſerved as much in this Service, for his Pains and Care, and for the particular Succeſs that was upon it, as truly as, I think, ever any Gentleman did; and in the next Place, that as God of his own immediate Providence did thus declare himſelf for the Owning of his own Cauſe, ſo you will not forget to apply yourſelves to God, to give him the Glory, and to intreat his Bleſſings upon your future Attempts.'

Mr. *Strode* ſpoke next.

Gentlemen all,

'AS the Noble Lord hath told you, my Lord-General ſent him up to you to give you a clear Information of what was done; and he hath given you ſo clear a one, that there is little left for me to ſay to you; only my Atteſtation, and that's needleſs. Had that been all I ſhould have ſaid nothing; but in the Enumeration of thoſe Regiments that did run away, and of his own, I muſt needs ſay thus much, that, when they were all away, he ſtaid with us in the Service all that Night. This I hold my Duty to this Honourable Perſon, ſince it was Modeſty in himſelf to ſay nothing. Mr. *Strode's*.

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'I shall crave Leave a little further to make you some Observations, that as God did this great Work, and we ascribe to him the Honour; so you will look upon the Persons by whom he did it. In the first Place you have heard, when it was a thousand to one but that we had lost the Day, by the running away of the Troop of Horse and the four Regiments, that the General did draw up his own Regiment; and that then did God begin, in them, to shew his own Work; and not only in them, but by a Regiment raised in *Essex*, another Regiment raised in this City, under the Command of Mr. *Holles*, and one Regiment of my Lord *Brooke*'s, which had the Day upon them. These were the Men that were, ignominiously, reproached by the Name of *Round-Heads*; but by these *Round-Heads* did God shew himself a most glorious God: And truly, Gentlemen, they that will report to you the Number of our Dead, farther than we have reported them to you, must find them many Miles from the Army; and then they were Men that ran away so far, that it was no Matter who killed them; for our Men, killed any where about the Place, we cannot find in all, or think of, above 300, and you'll say they were well lost that run away; there were few lost of them that stood their Ground, and they that were so lost were lost with Honour: So that truly I can say no more to you, in such a Cause as this, that you have undertaken with your Purses and with your Persons: God hath shewed himself with us; be you but courageous and we never need doubt it. And so we say all.'

Then the Earl of *Pembroke* said,

My Lord Mayor, and you Gentlemen of the City,

The Earl of *Pembroke*'s.

'I Am commanded, and the Reason that makes me trouble you at this Time with saying any Thing, is by reason of a Letter I received from the Committee, which, I think, is a Letter of some Consequence, and fitting for you to see; otherwise I am so ill a Speaker, after such a Declaration made to you, that I have not the Boldness to say any thing

thing to you; but truly tho' I say little, yet I have ever had so good a Heart to this Business, that I shall ever live and die in it. An. 18. Car. I. 1642. October.

Gentlemen, you have shewed yourselves like brave and noble Citizens; you have acted with that Nobleness, with that Alacrity, with that Love to God, King, and Parliament, that none of your Ancestors before ever shewed more Love, nor Care, nor Zeal, nor performed better. I have only this to say to you, If the Times are such, (not that I think there is any great Peril in the King's Army now, for we have told you nothing but the Truth) yet when you have seen this Letter, you will find there is very good Cause for you to crown this Work; which must be by following it with the same Zeal, Love, Care, Nobleness, and Alacrity; which if you do, you may well crown yourselves with the Name of a glorious City, and none more.'

Here the Letter was read as follows;

To the Earl of CUMBERLAND, General of his Majesty's Forces in the North.

My very good Lord,

YOUR Lordship's, of the 20th of this Month, I have received by Stockdale, *and have read it to his Majesty; who willed me to signify to your Lordship, that he is well pleased with your Lordship's continuing the Sheriff in his Place, albeit he sent a Writ for his Discharge. His Majesty takes a special Notice of your Lordship's Vigilancy and Care in the Trust he hath reposed in your Lordship, as he hath, by many gracious Expressions, declared at several Times openly, upon Conference of your Business in that County.*

Your Lordship's Care of my Lady Duchess of Buckingham *is, I assure you, very well taken by his Majesty.*

Sir Ralph Hopton, *and other Gentlemen in the* West, *have raised* 10,000 *Horse and Foot, with which they have already disarmed all Persons in* Cornwall *that are disaffected to the King: They have ta-*

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ken Launceſton, *and are marching into* Devonſhire, *to diſarm the Diſaffected there, and ſo intend to come to meet the King at* London. *There are alſo in* Wales *about* 6 *or* 7000 *Men levied for the King, which are to be under the Marquis of* Hertford, *that will be ready upon all Occaſions to come to his Majeſty; but we hope he will not need their Help, having given the Earl of* Eſſex *ſuch a Blow, as they will make no Haſte again to adventure themſelves in that Cauſe againſt God's Anointed. I ſhall refer your Lordſhip to the Relation of the Bearer for the Particulars.*

To-morrow his Majeſty marcheth towards London, *by* Oxford. *I am ſo full of Buſineſs, as I muſt crave your Lordſhip's Pardon that I write ſo briefly; but I am, nevertheleſs,*

Your Lordſhip's

Edgſcot, Northamp. Oct. 24, 1642.

Moſt humble Servant,

EDWARD NICHOLAS.

After reading this Letter, the Earl of *Holland* ſaid,

My Lord Mayor, and you Gentlemen of the City,

The Earl of *Holland*'s,

'IT is more by Obedience than Confidence, that I ſay any Thing to you at this Time. My Lords and the Committee command me, and therefore I ſhall obey them. That which I ſhall ſay to you, is to obſerve on the Relation that the Noble Lord hath made: In the firſt Part of it what Deliverance God hath ſent you, that in a Danger (and indeed ſuch as, I am confident, all that were there believed the Cauſe of Religion, and Liberty, and all loſt) you ſaw what a preſent Turn it had; ſuch a one, as if it did not give us the Victory, yet it gave us the Advantage, that is certain; and truly a very great one, eſpecially when it was taken from ſo unhappy a Condition as we were likely to be in; wherein God hath ſhewed us what a Danger might have fallen upon us: And certainly it is becauſe every Man ſhould conſider, in that Danger, what he might have ſuffered, and what his

his Cauſe might have ſuffered; and by this to give you all Warning, that as he hath now begun to deliver you only by his Hand, and by his Power, he will expect that you will expreſs ſuch a Thankfulneſs to him for it, as now to make his Cauſe your Work; and to do it with your Hands boldly and with Courage. An. 18. Car. I. 1642. October.

'For by this Letter that you have heard read now, you ſee what is threatened againſt you: The leaſt that you muſt expect as to this great Army of the King's is, that certainly, by the Diſpoſition of thoſe that command it, and have great Power in it, they intend you no leſs (and that is to be believed) than the deſtroying of the City and your Perſons, and the preying upon your Fortunes. This is not all; for you ſee if this doth not prevail, or be not powerful enough, an Army muſt come from the *Weſt*; you ſee the Preparation of another in the *North*; from all Parts of the Kingdom the Sword is drawn againſt you: And truly, having thoſe ill Intentions that they certainly have, it is the wiſeſt Courſe they can take; for in your City is the Strength of the Kingdom indeed: It is not only the Life but the Soul of it: If they can deſtroy you here, the reſt of the Kingdom muſt all ſubmit and yield; and, in that Yielding, muſt give over the Maintenance of all that is moſt dear to them.

'Therefore, if you will now conſider how God hath ſhewed that he hath kept the firſt Blow from you, by delivering of you, indeed, from ſuch an imminent Danger as it could not be believed it could have been recovered, but by himſelf and by the Power of his Hand: This may give you juſt Encouragement to purſue all Things that are for his Glory, and for the Defence of your Religion and his Cauſe. I am confident, as you will do it with Thankfulneſs, Duty, and Sincerity to him; ſo, in Wiſdom and Reaſon, you will (ſeeing what Threatnings there are againſt you) defend yourſelves and your Families. Nature directs you to this as well as Piety. We only recommend this to you, that you may but know it, and take it into your Thoughts,

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and into your Hearts; and then we are confident your Hearts will be raiſed with ſo much Piety, with ſo much Courage, and with ſo much Reſolution, as you will defend yourſelves; and, in defending yourſelves, defend us, the Parliament and the Kingdom. You may do it: You have Power, and we expect it from your Affections.'

Then the Lord *Saye* and *Sele* made the following Speech;

My Lords and Gentlemen,

And Lord *Say* and *Sele's*.

'THAT little that I have to ſay, ſhall not be to ſet forth your approaching Danger; but I ſhall rather apply myſelf to ſtir up your Spirits, to encourage you, and to ſettle this Opinion in you, that, if you be not wanting unto yourſelves, which cannot be imagined in this Cauſe, you will not give Cauſe to fear Danger.

'It cannot be doubted, by what you have heard, but that the Intentions of theſe malignant, miſchievous Counſellors, and theſe Men of deſperate Fortunes that they have gathered to them, and into whoſe Hands they have put our King, are, that this rich and glorious City ſhould be delivered up as a Prey, as a Reward, to them for their Treaſon againſt the Kingdom and the Parliament; that your Lives ſhould ſatisfy their Malice; your Wives, your Daughters, their Luſt; and Religion itſelf, the deareſt Thing of all others to us, ſhould be made Merchandize of to invite Papiſts, to invite Foreigners.

'Notwithſtanding their Intentions, let no Man's Heart be diſcouraged: You have Power enough in your Hands to bring all this Wickedneſs upon their own Heads, through God's Bleſſing: If you will uſe your Hands, if you will hold them up to ſerve your God, to defend the true Religion of Almighty God, to defend your Lives, to defend this Kingdom and the Parliament, you need not fear any Thing that can be done by this broken Army; nor fear thoſe Things that are here written in this Letter,

ter, nor those Things that are falsly buzz'd abroad by a Malignant Party in your City to amaze you. An. 18. Car. I. 1642. October.

'There is no Fear of Danger, but in Security, in sitting still; and therefore if you will be stirred up, (as I cannot doubt, cannot imagine but you will) to do what every Man, both by the Law of God, and by the Law of Nature in this Case, will be induced to do, through God's Blessing, you shall both honour God, maintain the true Religion, save this Kingdom, save the Parliament, and crown your good Beginnings that God hath pleased to shew himself unto us in.

'This is not now a Time for Men to think with themselves, that they will be in their Shops to get a little Money: This is a Time to do what you do in common Dangers; let every Man take his Weapons in his Hand, let him offer himself willingly to serve his God, and to maintain true Religion. You may remember what God saith by the Prophet, *My Heart is set upon those People that are willing to offer themselves willingly upon the high Places:* Let every Man therefore shut up his Shop, let him take his Musket, let him offer himself readily and willingly; let him not think with himself who shall pay me; but rather think this, 'I'll come 'forth to save the Kingdom, to serve my God, to 'maintain his true Religion, to save the Parliament, 'to save this noble City; and when this Danger is 'overcome, I'll trust the State that they will have 'a Regard unto whatsoever may be fit either for my 'Reparation in any Loss, or for my Reward.'

'Do as you do in common Dangers, as when there is a House on Fire; Men ask not who shall pay them their Day's Wages; but every Man comes forth of his Doors; helps to quench the Fire; brings a Bucket, if he has one; borrows one of his Neighbour, if he has not: When the Fire is quenched then the City will regard to repair any Man that has suffered all Day. That do you; every one bring forth his Arms, if he has any; if he has none, let him borrow them of his Neighbour,

or

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or he shall be arm'd by the State; let every Man arm himself and his Apprentices, and come forth with Boldness, and with Courage, and with Chearfulness, and doubt not but God will assist you; for this is God's Cause; and that should be your Encouragement: They are Papists, they are Atheists, that come to destroy you: They come indeed, in the first and principal Aim, to destroy Religion: Papists are invited; they have Commissions. Are these the Men that should defend the Protestant Religion, when they are Papists and Recusants?

'If you shall come forth, God will go forth with you; he will fight for you, he will save you; but how? He will not save you without yourselves. You may remember what was said, *Curse ye* Meroz, *because they came not out to help the Lord against the Mighty.* He needs not your Help, but he will use your Service, that he may bless you; and therefore let every Man be encouraged, let him shew his Readiness, let him shew his Forwardness. Remember what the Scripture saith, *Hear, O* Israel, *God is with you so long as ye are with him.* The Lord will be with you in this Cause, for it is his Cause; but then you must shew yourselves ready to be with him. But I need not use these Speeches to those that have expressed, already, so much Affection as you have done; I shall only encourage you to go on: Be not therefore daunted; let not Malignant Parties, that go up and down, and would go about to inform you that there are these Fears and these Dangers, let them not, I say, make you be wanting to yourselves; fear them not at all.

'I shall conclude with this which the good King said, *Up and be doing, and the Lord be with you.*'

Then the Lord *Wharton* spoke again.

Gentlemen,

Lord *Wharton*'s Second Speech.

'I Shall trouble you but with a Word or two; the one is upon Part of that Narrative which I began withall; wherein, truly, I take myself to be

be very beholding to that Gentleman that ſpoke af- An. 18. Car. I.
ter me, that he did not forget to inform you of the 1642.
extraordinary Bleſſing that God beſtowed upon the October.
Courage of honeſt, pious, and religious Men; for, truly, there was very few that did any extraordinary Service, but ſuch as had a Mark of Religion upon them.

'That which I omitted to tell you was this, That one great Cauſe of our Preſervation, and of the Succeſs of that Day, was the Barbarouſneſs and Inhumanity of Prince *Rupert* and his Troops; who, while we were a-fighting, not only pillaged the Baggage, (which was a poor Employment) but moſt barbarouſly killed the Country Men that came in with their Teems, and Women and Children that were with them. This I think comes not amiſs to tell you, becauſe you may ſee what is the Thing they aim at, which is Pillage, and Baggage, and Plundering; and the Way which they would come by it is Murdering and Deſtroying: And therefore it will come in very properly, to encourage you to that Work, which the two Noble Lords have ſo well opened to you, which is the ſtanding upon your Defence.

'I ſhall only add, That when you ſhall have ſo done in that Meaſure, and in that Proportion, which we do not doubt but you will do, becauſe you have always ſhewed your Affections and your Wiſdoms to be ſo great in carrying on of this Buſineſs: I ſay, when you ſhall have ſo behaved yourſelves, there is no Doubt but God's Bleſſing will be upon it; and you will be ſure to have an extraordinary Back, an extraordinary Aſſiſtance; for my Lord of *Eſſex*, with his whole Army, will be ſure to be on one Side, when you, with your Defence, will be on the other Side; and when that Army ſhall lie between theſe two, without Queſtion they will come to a very ſhort Concluſion: Then you may reap the Fruit of your Labours that you have been at, to your own Benefit and your Poſterity's.'

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The Earl of *Holland*'s Second Speech.

My Lord Mayor and Gentlemen,

Earl of *Holland*'s Second Speech.

'IT is but a Word or two that I ſhall ſay to you, for the ſhutting up of this Buſineſs. The Danger hath been repreſented to you, we muſt deſire you likewiſe to conſider how near it moves, ſo that you muſt reſolve and act both together. We conceive this Army will be at *Oxford* as this Night, that is, within ſuch a Diſtance as, within three Days, they may march to *London* It is very neceſſary for you to provide againſt this, as a Danger that may be very ſuddenly upon you, if they ſhould chance to march before our Army; and with ſuch an Advantage as to break up Bridges, or any ſuch Thing as may hinder our Army to move preſently and ſuddenly after them. Conſider how open you are to this Danger, if you provide not preſently for it: Therefore, as we have given you Reaſons, and indeed as you may take almoſt from your own Reaſons, to defend yourſelves, it will be very neceſſary for you to look upon this as a Danger, that will not allow the Loſs of an Hour in providing againſt it; And that is all I ſhall ſay unto you.'

The Earl of *Pembroke* concluded in theſe Words;

My Lord Mayor, and you Gentlemen,

And the Earl of *Pembroke*'s concluding Speech.

'I Shall only ſpeak one Word more to you, and that concerns yourſelves moſt nearly. Tho' I have lived in this City, many Years, yet you that are Citizens, muſt know it better than I.

'You know you have a great and malignant Party in the City; you have now Time and Power to look to them, loſe no Time ſo to do; for if you leave that till a Time of Diſtraction, they will be a great deal bolder than now they are: You muſt therefore do it forthwith.'

Notwithſtanding theſe Military Exhortations to the Citizens of *London*, we find that, two Days after,

ter, a Motion was made in the Houſe of Lords, To take into Conſideration, how to prevent further Bloodſhed between the two Armies, and to conſider of ſome Means to beget a Peace betwixt them, which was agreed to: —— But the further Proceedings, in Conſequence of this Motion, being the principal Employment of both Houſes for ſeveral Weeks, will very properly begin our next Volume; as thereby the Reader will have a more compact View of this important Negotiation between the King and the Parliament.

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The Lords reſolve to conſider of ſome Means for Peace.

The END of the ELEVENTH VOLUME.